



U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Administration for Children and Families  
Administration on Children, Youth and Families  
Children's Bureau

# **Final Report**

## **Tennessee Child and Family Services Review**

**U.S. Department of Health and Human Services  
Administration for Children and Families  
Administration on Children, Youth and Families  
Children's Bureau**

**August 2002**

## **EXECUTIVE SUMMARY**

### **TENNESSEE CHILD AND FAMILY SERVICES REVIEW**

The Child and Family Services Review (CFSR) assesses State performance during a specified time period with respect to seven child welfare outcomes in the areas of safety, permanency, and well-being and with respect to seven systemic factors. The assessment is based on information from the following sources:

- The Statewide Assessment prepared by the State child welfare agency – the Tennessee Department of Children’s Services (DCS);
- The State Data Profile prepared by the Children’s Bureau of the U.S. Department of Health and Human Services;
- Reviews of 50 cases from three counties in the State; and
- Interviews or focus groups (conducted at all three counties and the State capital) with a wide range of stakeholders including children, parents, foster parents, various levels of State and local DCS personnel, collaborating agency personnel, school personnel, service providers, court personnel, legislators, and attorneys.

A key finding of the review of Tennessee’s child welfare programs is that the State did not achieve substantial conformity with any of the seven safety, permanency, and well-being outcomes. Although the State was not in substantial conformity with any of the outcomes, the CFSR did identify areas of strength. One area of strength relates to the recurrence of maltreatment. The State met the national standard for percentage of children who were the subject of a substantiated or indicated maltreatment during the first 6 months of the year, who were the subject of another substantiated or indicated maltreatment report within 6 months. In addition, the indicator pertaining to repeat maltreatment assessed during the case reviews was rated as a Strength. Other indicators rated as a Strength were the following:

- Placing children in close proximity to their biological families (item 11).
- Conducting regular visits with children to monitor their safety and assess their needs and progress with respect to the case plan (item 19).
- Ensuring that children receive appropriate services to meet their physical health needs (item 22).

The State did not meet national standards for measures relating to maltreatment of children in foster care, foster care re-entries, the length of time to achieve reunification, the length of time to achieve adoption, or stability of foster care placements.

The most significant concern identified through the onsite review process was the State’s inconsistency in achieving permanency for children in foster care. For example, Permanency Outcome 1—Children have permanency and stability in their living situations—was found to be substantially achieved in only 31 percent of the foster care cases reviewed. Each of the indicators assessed for this item was assigned a rating of Area Needing Improvement, including re-entries of children into foster care (item 5); placement stability (item 6); the appropriateness of the permanency goal for children (item 7); attainment of permanency through reunification, guardianship, or permanent placement with relatives (item 8); attainment of permanency through adoption (item 9); and attainment of permanency through a permanency goal of other planned permanent living arrangement (item 10).

One of the identified barriers to attaining permanency was that caseworkers tended to focus on addressing the children's problems, particularly if there were behavioral problems, with little attention paid to working with families to bring about reunification or working with foster parents to support placements and encourage permanency through adoption or guardianship.

The case review process also found that the child welfare agency was inconsistent with regard to its efforts to preserve children's continuity of family relationships and connections with community and heritage (Permanency Outcome 2).

In addition, the CFSR identified challenges pertaining to the agency's effectiveness in ensuring the well-being of children and families (Well-Being Outcomes 1, 2, and 3). Indicators rated as Areas Needing Improvement for these outcomes included the following: providing children, parents, and foster parents with the services and supports they need (item 17), involving parents and children in the case planning process (item 18), visiting parents with sufficient frequency to monitor children's safety and promote attainment of case goals (item 20), meeting children's educational needs (item 21), and meeting children's needs for mental health assessments and services (item 23).

The State's overall performance with respect to the outcomes pertaining to safety (Safety Outcomes 1 and 2) was higher than its performance in the areas of permanency and well-being. However, the assessment of three of the four indicators assessed for the Safety Outcomes resulted in a finding of "Area Needing Improvement." Concerns were identified with respect to the agency's success in initiating investigations of child maltreatment within the timeframes established by State policy (item 1), the ability of the agency to consistently prevent removal while maintaining children safely in their own homes (item 3); and the effectiveness of the agency in reducing the risk of harm to children (item 4).

With respect to the seven systemic factors, the CFSR process determined that the State was in substantial conformity with regard to the statewide information system, the quality assurance system, agency responsiveness to the community, and foster and adoptive parent licensing, recruitment, and retention. The State was not in substantial conformity with factors pertaining to the case review system, the training efforts for child welfare staff and child caregivers, and the array of services available to families.

The following is a summary of the CFSR findings regarding the specific outcomes and systemic factors.

## **KEY FINDINGS RELATED TO OUTCOMES**

### **I. SAFETY**

*Outcome S1: Children are, first and foremost, protected from abuse and neglect.*

#### **Status of Safety Outcome S1 – Not in Substantial Conformity**

Tennessee did not achieve substantial conformity with Safety Outcome 1. Although Tennessee met the national standard with respect to the rate of maltreatment recurrence, 84.6 percent of the cases were rated as having substantially achieved this outcome, which is less than the 90 percent required for substantial conformity. In addition, the State did not meet the national standard for the percentage of children experiencing maltreatment from caretakers while in foster care.

**Item 1. Timeliness of initiating investigations of reports of child maltreatment**

Item 1 was assigned an overall rating of Area Needing Improvement. In 71 percent of the applicable cases reviewers determined that DCS responded to child maltreatment reports in a timely manner, but there were concerns related to this issue in 29 percent of the applicable cases reviewed.

**Item 2. Repeat maltreatment**

Item 2 was assigned an overall rating of Strength based on the following:

- Only one child experienced two maltreatment incidents within a 6-month period.
- The incidence of repeat maltreatment in FY 2000 as reported in the State Data Profile was 2.8 percent, which is less than the national standard of 6.1 percent.

*Outcome S2: Children are safely maintained in their homes whenever possible and appropriate.*

**Status of Safety Outcome S2 – Not in Substantial Conformity**

Tennessee did not achieve substantial conformity with Safety Outcome 2. This determination was based on the finding that the outcome was substantially achieved in 68.4 percent of the cases reviewed, which is less than the 90 percent required for a rating of substantial conformity.

**Item 3. Services to family to protect child(ren) in home and prevent removal**

Item 3 was assigned an overall rating of Area Needing Improvement. In 78 percent of the applicable cases reviewers determined that the agency had made diligent efforts to maintain children safely in their homes, but there were concerns related to this issue in 22 percent of the applicable cases. According to the Statewide Assessment, DCS has been aware of the need to improve the provision of services to prevent removal and launched a new program called Family Support Services. It is anticipated that this program, which was fully implemented statewide in February 2002, will improve DCS' performance on this indicator.

**Item 4. Risk of harm to child**

Item 4 was assigned an overall rating of Area Needing Improvement. In 71 percent of the applicable cases reviewers determined that DCS had made diligent efforts to reduce risk of harm to children, but there were concerns related to this issue in 29 percent of the applicable cases. A key concern identified was an inconsistency among caseworkers with respect to conducting comprehensive risk/needs assessments, monitoring families on an ongoing basis to ensure children's safety, and assessing change in risk factors prior to reunification.

**II. PERMANENCY**

*Outcome P1: Children have permanency and stability in their living situations.*

**Status of Permanency Outcome 1 – Not in Substantial Conformity**

Tennessee did not achieve substantial conformity with Permanency Outcome 1. This determination was based on the following:

- The State did not meet the national standards for foster care re-entries, stability of foster care placements, reunification within 12 months of entry into foster care, and adoptions within 24 months of entry into foster care.
- 31.0 percent of the cases reviewed were rated as having substantially achieved Permanency Outcome 1, which is less than the 90 percent required for substantial conformity.

#### **Item 5. Foster care re-entries**

Item 5 was rated as an Area Needing Improvement based on the following findings:

- In 75 percent of the applicable cases this item was rated as a strength; however, in 25 percent of the applicable cases reviewers determined that a re-entry into foster care had occurred within 12 months of discharge from a prior episode.
- The State's incidence of foster care re-entry in FY 2000 (as reported in the State Data Profile) is 10.1 percent, which does not meet the national standard of 8.6 percent.

A recent State policy requiring cases to be open for 9 months following reunification is expected to decrease the rate of re-entry into foster care.

#### **Item 6. Stability of foster care placement**

Item 6 was assigned an overall rating of Area Needing Improvement based on the following findings:

- In 66 percent of the applicable cases reviewers determined that children experienced placement stability, but in 34 percent of the applicable cases reviewers determined that children did not have placement stability and that placement changes were not in the best interest of the child.
- The State Data Profile indicated that 61.1 percent of children in foster care for 12 months or less during FY 2000 had no more than two placement settings, which does not meet the national standard of 86.7 percent.

#### **Item 7. Permanency goal for child**

Item 7 was assigned an overall rating of Area Needing Improvement. In 59 percent of the applicable cases reviewed reviewers determined that DCS had established appropriate permanency goals for children in a timely manner, but there were concerns regarding appropriateness of permanency goals in 41 percent of the applicable cases reviewed. Of particular concern was the practice of establishing a goal of long term foster care leading to emancipation without exploring alternative goals, such as adoption or guardianship.

#### **Item 8. Reunification, Guardianship or Permanent Placement with Relatives**

This item was assigned an overall rating of Area Needing Improvement based on the following:

- The State Data Profile indicates that the State's percentage for reunifications occurring within 12 months of entry into care is 61.3, which does not meet the national standard of 76.2 percent.
- In 69 percent of the applicable cases reviewers determined that the agency had made diligent efforts to bring about permanency for children with a goal of reunification, permanent placement with relatives, or guardianship, but there were concerns regarding this issue in 31 percent of the applicable cases.

The Statewide Assessment noted that the ability of DCS to provide the intensified and high quality case management necessary for timely reunification has been hindered by the high caseloads that caseworkers carry and the number of children placed in agency custody by the court due to truancy or other "unruly" behavior, which leads workers to focus primarily on meeting children's service needs with respect to improving their behavior problems.

**Item 9. Adoption**

Item 9 was assigned an overall rating of Area Needing Improvement based on the following:

- In 1 (10 percent) of the 10 applicable cases this item was rated as a strength. In 9 (90 percent) of the applicable cases, reviewers determined that the agency was not engaging in sufficient efforts to achieve finalized adoptions for children in foster care.
- The State Data Profile indicates that the percentage of finalized adoptions in FY 2000 that occurred within 24 months of removal from home (10.5%) is less than the national standard of 32.0.

As noted in the Statewide Assessment, the agency's ability to achieve permanency through adoption has been greatly hindered by the fact that until recently the agency only had 16 attorneys covering all 95 counties.

**Item 10. Permanency goal of other planned permanent living arrangement**

Item 10 was assigned an overall rating of Area Needing Improvement. In 44 percent of the applicable cases reviewers determined that the agency had made diligent efforts to assist children in achieving a permanency goal of other planned permanent living arrangement. However, in 56 percent of the applicable cases reviewers determined that the agency had not made diligent efforts to assist children in attaining more appropriate goals, such as guardianship or adoption, or had not provided the necessary services to support children's eventual emancipation to independent living. The Statewide Assessment notes that there has been a slight decrease in the number of children with this goal from 2000 to 2001 and anticipates that this decrease will continue.

*Outcome P2: The continuity of family relationships and connections is preserved for children.*

**Status of Permanency Outcome 2 – Not in Substantial Conformity**

Tennessee did not achieve substantial conformity with Permanency Outcome 2. This determination was based on the finding that the outcome was rated as substantially achieved in 37.9 percent of the cases, which is less than the 90 percent required for substantial conformity.

**Item 11. Proximity of foster care placement**

Item 11 was assigned an overall rating of Strength because in 85 percent of the applicable cases, reviewers determined that children had been placed in foster homes that were in close proximity to their parents or, when children were placed out of their communities of origin, the placement was necessary to meet the special needs of the child. As noted in the Statewide Assessment, there is a new agency policy to place children within a 75-mile radius of their community of origin (i.e., where they resided prior to entering foster care).

**Item 12. Placement with siblings**

Item 12 was assigned an overall rating of Area Needing Improvement. In 67 percent of the applicable cases reviewers determined that the agency had made diligent efforts to keep siblings together, but there were concerns regarding placement with siblings in 33 percent of the applicable cases.

**Item 13. Visiting with parents and siblings in foster care**

Item 13 was assigned an overall rating of Area Needing Improvement. In 70 percent of the applicable cases reviewers determined that DCS had made concerted efforts to facilitate visitation, but there were concerns regarding this issue in 30 percent of the applicable cases. The concerns occurred most frequently in the assessment of visitation between children and their siblings.

**Item 14. Preserving connections**

Item 14 was assigned an overall rating of Area Needing Improvement. In 64 percent of the applicable cases reviewers determined that children's connections to family, community, heritage, faith, and friends had been preserved while the child was in foster care, but there were concerns regarding preserving connections in 36 percent of the applicable cases.

**Item 15. Relative placement**

Item 15 was assigned an overall rating of Area Needing Improvement. In 38 percent of the applicable cases reviewers determined the agency had made diligent efforts to locate and assess relatives as potential placement resources, but there were concerns regarding this issue in 62 percent of the applicable cases. The Statewide assessment notes that there are several issues that contribute to the under utilization of relative placements including the general perspective of Court and DCS staff that relatives should care for children without financial assistance from the State.

**Item 16. Relationship of child in care with parents**

Item 16 was assigned an overall rating of Area Needing Improvement. In 61 percent of the applicable cases reviewers determined that the agency had made sufficient efforts to support or maintain the bond between parents and their children while the children were in foster care, but there were concerns regarding this issue in 39 percent of the applicable cases.

**III. WELL-BEING**

*Outcome WB1: Families have enhanced capacity to provide for their children's needs.*

**Status of Well-Being Outcome 1 – Not in Substantial Conformity**

Tennessee did not achieve substantial conformity with Well-Being Outcome 1. This determination was based on the finding that the outcome was rated as substantially achieved in 52 percent of the cases reviewed, which is less than the 90 percent required for a determination of substantial conformity. A general finding of the CFSR process with regard to this outcome was that DCS is not consistent in its efforts to identify and provide for the service needs of families or to involve them in case planning. There was also evidence of infrequent face-to-face contact between agency workers and the parents in their cases.

**Item 17. Needs and services of child, parents, foster parents**

Item 17 was assigned an overall rating of Area Needing Improvement. In 56 percent of the applicable cases reviewers determined that the needs and services of children, parents, and/or foster parents had been, or were being, adequately addressed by DCS, but there were concerns regarding this issue in 44 percent of the applicable cases. Areas of concern included (1) the adequacy of assessments, particularly with respect to identifying underlying problems such as substance abuse and sexual abuse; (2) inconsistencies in meeting children's and parent's service needs; and (3) a lack of attention in some cases to the service needs of foster parents. One of the key unmet service needs for many adolescents in foster care was the need for services to prepare them for eventual independent living.

**Item 18. Child and family involvement in case planning**

Item 18 was assigned an overall rating of Area Needing Improvement. In 65 percent of the applicable cases reviewers determined that DCS had appropriately involved parents or children in the case planning process, but

there were concerns regarding this issue in 35 percent of the applicable cases. This finding is contrary to DCS policy, as stated in the Statewide Assessment, which requires that parents of children in foster care participate in the development of their child's plan.

**Item 19. Worker visits with child**

Item 19 was assigned an overall rating of Strength because in 92 percent of the cases, reviewers determined that the frequency of caseworker visits with children was sufficient to ensure adequate monitoring of the child's safety and well-being. This finding is consistent with information reported in the Statewide Assessment.

**Item 20. Worker visits with parents**

This item was assigned an overall rating of Area Needing Improvement. In 68 percent of the applicable cases reviewers determined that visits with parents were sufficiently frequent and of sufficient quality to promote the safety and well-being of the child or increase movement toward permanency, but there were concerns related to workers' visits with parents in 32 percent of the applicable cases.

*Outcome WB2: Children receive appropriate services to meet their educational needs.*

**Status of Well-Being Outcome WB2 – Not in Substantial Conformity**

**Tennessee did not achieve substantial conformity with Well-Being Outcome 2. This determination is based on the finding that 82.2 percent of the cases reviewed were found to have substantially achieved this outcome, which is less than the 90 percent required for substantial conformity.**

**Item 21. Educational needs of the child.**

Item 21 was assigned an overall rating of Area Needing Improvement. In 82 percent of the applicable cases reviewers determined that the educational needs of children were appropriately addressed, but there were concerns related to this issue in 18 percent of the applicable cases.

*Outcome WB3: Children receive adequate services to meet their physical and mental health needs.*

**Status Of Well-Being Outcome 3 - Not in Substantial Conformity**

Tennessee did not achieve substantial conformity with Well-Being Outcome 3. This determination was based on the finding that the outcome was rated as substantially achieved in 69.4 percent of the applicable cases, which is less than the 90 percent required for a determination of substantial conformity. In general, the CFSR found that DCS was not consistent in its efforts to meet children's mental health needs although it was effective in meeting their physical health needs.

**Item 22. Physical health of the child**

Item 22 was assigned an overall rating of Strength based on the finding that in 89 percent of the applicable cases, reviewers determined that DCS was adequately addressing the health needs of children in foster care and in-home services cases.



**Item 23. Mental health of the child**

Item 23 was assigned an overall rating of Area Needing Improvement. In 71 percent of the applicable cases reviewers determined that DCS was effective in meeting children’s mental health service needs, but there were concerns related to this issue in 29 percent of the applicable cases.

**KEY FINDINGS RELATING TO SYSTEMIC FACTORS**

**IV. STATEWIDE INFORMATION SYSTEM**

**Status of Statewide Information System – Substantial Conformity**

Tennessee is in substantial conformity with the factor of Statewide Information System.

**Item 24. The State is operating a Statewide information system that, at a minimum, can readily identify the status, demographic characteristics, location, and goals for the placement of every child who is (or within the immediately preceding 12 months, has been) in foster care.**

Item 24 was assigned a rating of Strength because the State’s information system can identify the status, demographic characteristics, location and goals for the placement of every child in foster care.

**V. CASE REVIEW SYSTEM**

**Status of Case Review System – Not in Substantial Conformity**

Tennessee is not in substantial conformity with the systemic factor of Case Review System.

**Item 25. Provides a process that ensures that each child has a written case plan to be developed jointly with the child’s parent(s) that includes the required provisions.**

Item 25 was rated as an Area Needing Improvement because although DCS has a process in place for a written case plan to be jointly developed by the child and parents, the information gathered during the review indicates that many children and parents are not involved in the development of the case plan.

**Item 26. Provides a process for the periodic review of the status of each child, no less frequently than once every 6 months, either by a court or by administrative review.**

Item 26 was assigned a rating of Strength because information gathered during the review indicates that DCS has a process in place for the periodic review of the status of each child no less frequently than once every 6 months and that these reviews are being conducted in a timely manner.

**Item 27. Provides a process that ensures that each child in foster care under the supervision of the State has a permanency hearing in a qualified court or administrative body no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter.**

Item 27 was assigned a rating of Strength because information gathered during the review indicates that DCS has a process in place to ensure that each child in foster care has a permanency hearing no later than 12 months after the child entered foster care and no less frequently than every 12 months thereafter, and that these reviews are being held in a timely manner.

**Item 28. Provides a process for termination of parental rights proceedings in accordance with the provisions of the Adoption and Safe Families Act.**

Item 28 was rated as an Area Needing Improvement because although DCS has a process in place for termination of parental rights the information gathered during the review indicates that TPR is not being done in all cases in accordance with ASFA.

**Item 29. Provides a process for foster parents, pre-adoptive parents, and relative caregivers of children in foster care to be notified of, and have an opportunity to be heard in, any review or hearing held with respect to the child.**

Item 29 was rated as an Area Needing Improvement because although DCS has a process in place for foster parents, pre-adoptive parents, and relative caregivers to be notified of and have an opportunity to be heard in any review or hearing, the information gathered during the review indicates that parties do not always receive these notices or do not receive them in a timely manner.

## **VI. QUALITY ASSURANCE SYSTEM**

### **Status of Quality Assurance System-Substantial Conformity**

Tennessee is in substantial conformity with the factor of Quality Assurance System.

**Item 30. The State has developed and implemented standards to ensure that children in foster care are provided quality services that protect the safety and health of the children.**

Item 30 was rated as a Strength because information gathered during the review indicates that the State has developed and implemented standards to ensure that children in foster care are provided quality services that protect the safety and health of children.

**Item 31. The State is operating an identifiable quality assurance system that is in place in the jurisdictions where the services included in the CFSP are provided, evaluates the quality of services, identifies strengths and needs of the service delivery system, provides relevant reports, and evaluates program improvement measures implemented.**

Item 31 was rated as a Strength because information gathered during the review indicates that the State is operating a quality assurance system that evaluates the quality of services, identifies strengths and needs of the service delivery system, provides relevant reports, and evaluates program improvement measures implemented.

## **VII. TRAINING**

### **Status of Training-Not in Substantial Conformity**

Tennessee is not in substantial conformity with the systemic factor of Training.

**Item 32. The State is operating a staff development and training program that supports the goals and objectives in the CFSP, addresses services provided under titles IV-B and IV-E, and provides initial training for all staff who deliver these services.**

Item 32 was rated as an Area Needing Improvement because although DCS has a new training division, stakeholders interviewed during the review indicated that the initial training does not sufficiently prepare staff for the work they are required to perform.

**Item 33. The State provides for ongoing training for staff that addresses the skills and knowledge base needed to carry out their duties with regard to the services included in the CFSP.**

Item 33 was rated as an Area Needing Improvement because stakeholders indicated that ongoing training needs to be more comprehensive in general and strengthened in subject areas including substance abuse and cultural competency training.

**Item 34. The State provides training for current or prospective foster parents, adoptive parents, and staff of State licensed or approved facilities that care for children receiving foster care or adoption assistance under title IV-E that addresses the skills and knowledge base needed to carry out their duties with regard to foster and adopted children.**

Item 34 was rated as a Strength because information gathered during the review indicates that the State provides quality training to current and prospective foster and adoptive parents that prepares them to effectively parent children in their care.

## **VIII. SERVICE ARRAY**

### **Status of Service Array-Not in Substantial Conformity**

Tennessee is not in substantial conformity with the systemic factor of service array.

**Item 35. The State has in place an array of services that assess the strengths and needs of children and families and determine other service needs, address the needs of families in addition to individual children in order to create a safe home environment, enable children to remain safely with their parents when reasonable, and help children in foster and adoptive placements achieve permanency.**

Item 35 was rated as an Area Needing Improvement because although the State does have in place an array of services for children and families, the information gathered during the case record review and stakeholder interviews indicate significant gaps in services.

**Item 36. The services in item 35 are accessible to families and children in all political jurisdictions covered in the State's CFSP.**

Item 36 was rated as an Area Needing Improvement because information gathered during the review indicates that all the services are not accessible to children and families throughout the State.

**Item 37. The services in item 35 can be individualized to meet the unique needs of children and families served by the agency.**

Item 37 was rated as an Area Needing Improvement because Stakeholders indicated that services are not adequately individualized to meet the unique needs of children and families served by DCS.

## **IX. AGENCY RESPONSIVENESS TO THE COMMUNITY**

### **Status of Agency Responsiveness To The Community-Substantial Conformity**

Tennessee is in substantial conformity with the systemic factor of Agency Responsiveness to the Community.

**Item 38. In implementing the provisions of the CFSP, the State engages in ongoing consultation with tribal representatives, consumers, service providers, foster care providers, the juvenile court, and other public and private child- and family-serving agencies and includes the major concerns of these representatives in the goals and objectives of the CFSP.**

Item 38 was rated as a Strength because information gathered during the review indicates that DCS engages in ongoing consultation with providers and agencies in setting goals and objectives of the child welfare system in the State.

**Item 39. The agency develops, in consultation with these representatives, annual reports of progress and services delivered.**

Item 39 was rated as an Area Needing Improvement because stakeholders indicated that DCS does not adequately consult with external stakeholders in developing annual reports of progress and services.

**Item 40. The State's services under the CFSP are coordinated with services or benefits of other Federal or federally assisted programs serving the same population.**

Item 40 was rated as a Strength because information gathered during the review indicates that the State does coordinate the services provided by DCS with the services of other Federal or federally assisted programs that serve the same population.

## **X. FOSTER AND ADOPTIVE PARENT LICENSING, RECRUITMENT, AND RETENTION**

### **Status of Foster and Adoptive Parent Licensing, Recruitment, and Retention-Substantial Conformity**

Tennessee is in substantial conformity with the systemic factor of Foster and Adoptive Parent Licensing, Recruitment, and Retention.

**Item 41. The State has implemented standards for foster family homes and childcare institutions, which are reasonably in accord with recommended national standards.**

Item 41 was rated as a Strength because information gathered during the review indicates that the State has implemented standards for foster family homes and child care institutions which are reasonable in accord with recommended national standards.

**Item 42. The standards are applied to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds.**

Item 42 was rated as a Strength because information gathered during the review indicates that the State applies the standards to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds.

**Item 43. The State complies with Federal requirements for criminal background clearances as related to licensing or approving foster care and adoptive placements and has in place a case planning process that includes provisions for addressing the safety of foster care and adoptive placements for children.**

Item 43 was rated as a Strength because information gathered during the review indicates that the State complies with Federal requirements for criminal background clearances and other processes for addressing the safety of children in foster care and adoptive placements.

**Item 44. The State has in place a process for ensuring the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the State for whom foster and adoptive homes are needed.**

Item 44 was rated as an Area Needing Improvement because although DCS has a recruitment process in place, stakeholders indicated that the State is not making diligent efforts to recruit African-American, Hispanic, and Sudanese families and there is a general lack of foster homes for children with severe emotional problems, large sibling groups, and adolescents.

**Item 45. The State has in place a process for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children.**

Item 45 was rated as a Strength because the information gathered during the review indicates that DCS adoption workers regularly use cross-jurisdictional resources to facilitate timely adoptive or permanent placements for children.

## INTRODUCTION

This document presents the findings of the Child and Family Services Review (CFSR) for the State of Tennessee. The findings were derived from the following documents and data collection procedures:

- The Statewide Assessment prepared by the State child welfare agency – the Tennessee Department of Children’s Services (DCS);
- The State Data Profile prepared by the Children’s Bureau of the U.S. Department of Health and Human Services;
- Reviews of 50 cases at three sites throughout the State; and
- Interviews or focus groups (conducted at all three sites) with stakeholders including children, parents, foster parents, all levels of child welfare agency personnel, collaborating agency personnel, school personnel, mental health providers, court personnel, legislators, and attorneys.

The key characteristics of the 50 cases reviewed are the following:

- 22 cases were reviewed in Shelby County (Memphis), 16 in Knox County, and 12 in Sumner County.
- All 50 cases had been open cases at some time during the period under review.
- 29 of the cases were “foster care cases” (cases in which children were in the care and custody of the State child welfare agency and in an out-of-home placement at some time during the period under review), and 21 were “in-home services cases” (cases in which families received services from the child welfare agency while children remained in their homes).
- Of the 21 in-home services cases, 1 was an “aftercare case” (a case in which the child had been reunified with parents but DCS retained custody following the reunification in order to provide follow-up services to the family), and 20 were preventive services cases (cases in which services were provided to prevent placement of children in foster care)
- In 23 cases, all children in the family were Caucasian; in 26 cases, all children in the family were African American. The race/ethnicity of the child was not noted in 1 case.
- Of the 50 cases reviewed, the **primary** reason for the opening of a child welfare agency case was the following:
  - Child’s behavior – 13 cases (26%)
  - Neglect (not including medical neglect) – 12 cases (24%)
  - Child in juvenile justice system – 5 cases (10%)
  - Substance abuse by parent – 4 cases (8%)
  - Physical abuse – 4 cases (8%)
  - Abandonment – 3 cases (6%)
  - Medical neglect – 3 cases (6%)
  - Other – 2 cases (4%)
  - Substance abuse by child – 1 case (2%)

- Domestic violence in child's home – 1 case (2%)
- Mental/physical health of parent – 1 case (2%)
- Mental/physical health of child – 1 case (2%)
- Among **all** reasons identified for children coming to the attention of the child welfare agency, neglect (not including medical neglect) was cited in 20 (40%) cases, child's behavior was cited in 19 (38%) cases, substance abuse by parents was cited in 13 (26%) cases, child in the juvenile justice system was cited in 8 (16%) cases, and physical abuse was cited in 6 (12%) cases.
- For 19 (66%) of the 29 foster care cases, the children entered foster care prior to the period under review and remained in foster care during the entire period under review; for 6 of the in-home services cases, the case had been opened prior to the period under review; and for 1 of the in-home services cases, the child had been reunified with the parents prior to the period under review and the family was in "aftercare status."

The first section of the report presents the CFSR findings relevant to the State's performance in achieving specific outcomes for children in the areas of safety, permanency, and well being. For each outcome, there is a table presenting key findings, a discussion of the State's status with regard to the outcome, and a presentation and discussion of each item assessed relevant to the outcome. The second section of the report provides an assessment and discussion of the systemic factors relevant to the child welfare agency's ability to achieve positive outcomes for children.

## SECTION 1: OUTCOMES

### I. SAFETY

#### Safety Outcome 1

<b>Outcome S1: Children are, first and foremost, protected from abuse and neglect.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	<b>Knox</b>	<b>Shelby</b>	<b>Sumner</b>	<b>Total Number</b>	<b>Total Percentage</b>
Substantially Achieved:	10	17	6	33	84.6
Partially Achieved:	3	2	1	6	15.4
Not Achieved or Addressed:	0	0	0	0	0.0
Not Applicable:	3	3	5	11	
<b>Conformity of Statewide data indicators with national standards:</b>					
	<b>National Standard (percentage)</b>	<b>State's Percentage</b>	<b>Meets Standard</b>	<b>Does Not Meet Standard</b>	
Repeat maltreatment	6.1	2.8	X		
Maltreatment of children in foster care	.57	.60		X	

#### STATUS OF SAFETY OUTCOME 1

Although Tennessee met the national standard with respect to the rate of maltreatment recurrence, the State did not achieve substantial conformity with safety outcome 1 based on the following findings:

- 84.6 percent of the cases were rated as having substantially achieved this outcome, which is less than the 90 percent required for substantial conformity.
- The State did not meet the national standard for the percentage of children experiencing maltreatment from caretakers while in foster care.



## Item 1. Timeliness of initiating investigations of reports of child maltreatment

\_\_\_\_ Strength      \_\_X\_\_ Area Needing Improvement

**Review Findings:** The assessment of item 1 was applicable for 17 of the 50 cases. Thirty-three cases were not applicable for assessment because they did not involve reports of child maltreatment during the period under review. In assessing item 1, reviewers were to determine whether the response to a maltreatment report occurring during the period under review had been initiated in accordance with child welfare agency policy. According to DCS policy, reports assigned a priority 1 status require an initiation of a response on the same day as receipt of the report, priority 2 reports require a response by the next day, and priority 3 reports require that the investigation be initiated within 5 working days of receipt of the report. The results of the assessment were the following:

- Item 1 was rated as a Strength in 12 (71%) of the 17 applicable cases.
- Item 1 was rated as an Area Needing Improvement in 5 (29%) of the 17 applicable cases.

This item was rated a Strength in all cases in which the initiation of a response to child maltreatment reports occurring during the period under review was in accordance with agency guidelines or policy for the priority level assigned to the report. For the 5 cases rated as an Area Needing Improvement, reviewers noted that the agency did not respond to one or more reports of child maltreatment in accordance with the timeframes established by State policy.

Stakeholders commenting on this issue noted that the current intake system for receiving and screening child maltreatment reports operates at a regional level, but that a central intake system is being piloted in the State. Stakeholders suggested that implementation of the central intake system is expected to improve the agency's response to maltreatment reports.

In contrast to the finding of the case reviews, most stakeholders expressed the opinion that the agency responds to reports of child maltreatment in a timely manner. They noted that response time has improved over the last 5 years and attributed the improvement to the DCS leadership. However, some stakeholders acknowledged that meeting the 5-day response time for priority 3 cases is difficult because there is not enough staff and the staff that are available carry high caseloads and often are inexperienced.

**Determination and Discussion:** Item 1 was assigned an overall rating of Area Needing Improvement because reviewers determined that the agency did not respond to child maltreatment reports in a timely manner in 29 percent of the applicable cases. This is consistent with information provided in the Statewide Assessment regarding the current response system. According to the Statewide Assessment, the Child Welfare League of America conducted a study of the DCS intake system in 1999. The study found a lack of consistency with regard to (1) the quality of information collected through the DCS intake methods; (2) the screening decisions made

by team leaders; and (3) the assignment of response priorities. In response to this study, DCS received funding in July 2001 to develop a centralized intake system for the State that will receive reports 24 hours per day, 7 days a week. The plan is to have trained CPS managers receive the reports, which will then be screened by team leaders who also will assign response priorities. A special telephone line will be established for law enforcement and medical professionals to report child maltreatment. It is anticipated that the new system will improve consistency and timeliness in responding to child maltreatment reports.

## **Item 2. Repeat maltreatment**

☒ Strength      ☐ Area Needing Improvement

**Review Findings:** An assessment of Item 2 was applicable for 38 of the 50 cases. Twelve cases were not applicable for assessment because the case was not opened as a result of a child maltreatment report. In assessing this item, reviewers were to determine whether there had been at least one substantiated or indicated maltreatment report during the period under review, and if so, whether another substantiated or indicated report occurred within 6 months of that report. The results of the assessment were the following:

- Item 2 was rated as a Strength in 37 (97%) of the 38 applicable cases.
- Item 2 was rated as an Area Needing Improvement in 1 (3%) of the 38 applicable cases.

In 26 cases rated as a Strength for this item, there were no reports of maltreatment during the period under review. In 19 of those cases, the children entered foster care prior to the period under review and remained in care throughout the entire period. Among the 11 cases in which there was at least one substantiated or indicated maltreatment report during the period under review, 1 case had at least one other substantiated or indicated report within a 6-month period.

An additional case review finding was that in 29 cases there were multiple child maltreatment reports over the life of the case, although not all reports were substantiated or indicated. Of these cases, 14 had between three and nine reports over the life of the case and in four cases, there were ten or more reports over the life of the case.

Most stakeholders commenting on this issue expressed the opinion that repeat maltreatment is not a frequent problem in the State and attributed this to the high quality of the agency's risk assessments and safety plans and the availability of post reunification services and intensive family-based services designed to prevent maltreatment recurrence. Stakeholders also noted that the low incidence of repeat maltreatment may be due in part to the State policy of removing children immediately when any requirement of a safety plan is not being met. However, some stakeholders expressed concern that the incidence of repeat maltreatment may be underestimated

because allegations of maltreatment received on open cases are not viewed as new reports and therefore are not assigned for an investigation.

***Determination and Discussion:*** Item 2 was assigned an overall rating of Strength based on the following:

- Only one child experienced two maltreatment incidents within a 6-month period.
- The incidence of repeat maltreatment in FY 2000 as reported in the State Data Profile was 2.8 percent, which is less than the national standard of 6.1 percent.

This rating is consistent with information provided in the Statewide Assessment regarding the issue of repeat maltreatment. According to the Statewide Assessment, the low incidence of repeat maltreatment is due to the following:

- Enhanced and improved risk-based investigative practices, policies, and procedures for child protective services (CPS) investigations;
- Increased collaboration with community based agencies and service providers; and
- The provision of prevention services.

## **Safety Outcome 2**

<b>Outcome S2: Children are safely maintained in their homes whenever possible and appropriate.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	<b>Knox</b>	<b>Shelby</b>	<b>Sumner</b>	<b>Total Number</b>	<b>Total Percentage</b>
Substantially Achieved:	10	14	2	26	68.4
Partially Achieved:	0	3	0	3	7.9
Not Achieved or Addressed:	1	2	6	9	23.7
Not Applicable:	5	3	4	12	

## **STATUS OF SAFETY OUTCOME 2**

Tennessee did not achieve substantial conformity with Safety Outcome 2. This determination was based on the finding that the outcome was substantially achieved in 68.4 percent of the cases reviewed, which is less than the 90 percent required for a rating of substantial conformity.

In Tennessee, services designed to maintain children safely in their own homes and to reduce risk factors in in-home services cases are provided by a Community Service Agency (CSA) under contract to DCS. DCS staff members determine if home-based services are an appropriate option. If this determination is made, the case is referred to a CSA, and the CSA is then responsible for providing case management and other purchased services such as intensive family preservation services, counseling, parent education, or homemaker services in order to reduce the risk of harm. Because the CSA is acting on behalf of DCS in these situations, the CFSR assessment considers CSA activities as equivalent to DCS activities for purposes of this report.

The CFSR case review process found that DCS was not consistent in providing families with adequate services to maintain children safely in their own homes and was not routinely effective in addressing the factors contributing to the risk of harm for children. Reviewers noted that (1) the agency's assessments of children's and families' service needs were not always sufficiently comprehensive to identify underlying problems in a family such as mental illness, sexual abuse, or substance abuse; and (2) the agency frequently conducted safety and risk assessments only for children who were the subject of maltreatment reports and did not include all of the children in the home in the risk assessment.

### **Item 3. Services to family to protect child(ren) in home and prevent removal**

\_\_\_ Strength \_\_X\_\_ Area Needing Improvement

**Review Findings:** There were 18 cases for which an assessment of item 3 was applicable. Thirty-two cases were excluded from this assessment because there were no substantiated or indicated maltreatment reports or identified risks of harm to children in the home during the period under review. For this item, reviewers were to assess whether, in responding to a substantiated or indicated maltreatment report or risk of harm, the agency made diligent efforts to provide services to families to prevent removal of children from their homes while at the same time ensuring their safety. The results of this assessment were the following:

- Item 3 was rated as a Strength in 14 (78%) of the 18 applicable cases.
- Item 3 was rated as an Area Needing Improvement in 4 (22%) of the 18 applicable cases.

This item was rated as a Strength when reviewers determined that DCS (1) conducted an appropriate and comprehensive assessment of the family's service needs, (2) provided or referred the family for services to meet those needs, and (3) monitored families to assess service participation and children's safety. In one of these cases, the services provided were court ordered. In another case, although services were provided, DCS eventually placed the child in foster care.

Cases were rated as an Area Needing Improvement for this item when reviewers determined the following:

- No services were provided to the family although there was a clear need for services (3 cases).
- Insufficient preventive services were provided prior to removal (1 case).

Stakeholders commenting on this issue expressed diverse opinions. Some stakeholders noted that the agency tries to maintain children in their homes whenever possible and provides a wide array of services to support this effort. These stakeholders suggested that the Family Support Services (FSS) program is decreasing the number of children who are removed from their homes. However, several stakeholders suggested that there are many cases in which families are referred for in-home services when children should have been removed. These stakeholders noted, for example, that some of the cases transferred to the CSA as in-home services cases involve risk factors that are beyond the scope of the CSA to address. There has been confusion between the CSA and the DCS on the procedures to be followed in referring back cases and the role each agency plays in that process. As a result, DCS does not always respond to the CSA's request to assume responsibility for cases that some stakeholders believe require DCS involvement. This has created some concern among stakeholders that children are being left in high-risk situations without the level of services necessary to assure the children's protection.

**Determination and Discussion:** Item 3 was assigned an overall rating of Area Needing Improvement because in 22 percent of the cases, reviewers found that the agency had not made diligent efforts to maintain children safely in their homes. According to the Statewide Assessment, DCS has been aware of the need to improve the provision of services to prevent removal and launched a new program called Family Support Services. It is anticipated that this program, which was fully implemented statewide in February 2002, will improve DCS' performance on this indicator.

#### **Item 4. Risk of harm to child**

\_\_\_\_ Strength   X   Area Needing Improvement

**Review Findings:** An assessment of item 4 was applicable for 38 of the 50 cases reviewed. Cases considered not applicable for an assessment of this item were those for which contact with the child welfare agency was due to juvenile delinquency or "unruly behavior" and it was determined that no risk of harm to children existed in the home. The assessment of item 4 required reviewers to determine whether the agency had made, or was making, diligent efforts to reduce the risk of harm to the children involved in each case. The assessment resulted in the following findings:

- Item 4 was rated as a Strength in 27 (71%) of the 38 applicable cases.
- Item 4 was rated as an Area Needing Improvement in 11 (29%) of the 38 applicable cases.

This item was rated as a Strength when reviewers identified the following:

- The risk of harm to children was addressed by appropriately removing the children from home and providing services to parents to address risk issues (10 cases).
- The risk of harm to children was addressed by appropriately removing the children from the home and seeking TPR (8 cases).
- The risk of harm to children was appropriately managed by providing services to families to address risk concerns while the children remained in the home or in a voluntary placement with relatives (9 cases).

The item was rated as an Area Needing Improvement when reviewers determined the following:

- Insufficient or inappropriate services were provided to the family and/or children, usually due to ineffective risk and needs assessments (8 cases).
- Parents were not accessing services, but the agency was not providing follow up to determine whether there was a change in risk of harm (2 cases).
- Service provision was delayed for a long time period (1 case).

Although some stakeholders commenting on this issue suggested that the agency is effective in addressing the risk of harm to children, others expressed concern about the ability of DCS workers to conduct appropriate risk assessments. These stakeholders questioned whether DCS workers have the skills necessary to engage in effective interviews with family members that might reveal underlying problems contributing to the risk of harm to the children. Several stakeholders also expressed the concern that risk factors are not being fully reduced prior to reunification in some cases because caseworkers are not monitoring parent's service participation or completion.

In addition, a few stakeholders voiced the opinion that the agency does not respond appropriately to reports of abuse in foster homes. Although stakeholders agreed that investigations of these reports are conducted, they questioned the thoroughness of these investigations. Some stakeholders also noted that complaints against juvenile treatment facilities are not always investigated in a thorough manner and that the use of restraints at treatment facilities is a concern that is not being adequately addressed by DCS.

***Determination and Discussion:*** Item 4 was assigned an overall rating of Area Needing Improvement because reviewers determined that in 29 percent of the cases, DCS had not made diligent efforts to reduce risk of harm to children. A key concern identified was an inconsistency among caseworkers with respect to conducting comprehensive risk/needs assessments, monitoring families on an ongoing basis to ensure children's safety, and assessing change in risk factors prior to reunification.

## II. PERMANENCY

### Permanency Outcome 1

<b>Outcome P1: Children have permanency and stability in their living situations.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	<b>Knox</b>	<b>Shelby</b>	<b>Sumner</b>	<b>Total Number</b>	<b>Total Percentage</b>
Substantially Achieved:	2	4	3	9	31.0
Partially Achieved:	3	8	3	14	48.3
Not Achieved or Addressed:	3	1	2	6	20.7
Not Applicable:	8	9	4	21	
<b>Conformity of Statewide data indicators with national standards:</b>					
	<b>National Standard (percentage)</b>	<b>State's Data (percentage)</b>	<b>Meets Standard</b>	<b>Does Not Meet Standard</b>	
Foster care re-entries	8.6	10.1		X	
Length of time to achieve reunification	76.2	61.3		X	
Length of time to achieve adoption	32	10.5		X	
Stability of foster care placements	86.7	61.1		X	
Length of stay in foster care*	N/A	16.8 months			

\*Not used to determine substantial conformity.

### STATUS OF PERMANENCY OUTCOME 1

Tennessee did not achieve substantial conformity with Permanency Outcome 1. This determination was based on the following:

- The State did not meet the national standards for foster care re-entries, stability of foster care placements, reunification within 12 months of entry into foster care, and adoptions within 24 months of entry into foster care.

- 31.0 percent of the cases reviewed were rated as having substantially achieved Permanency Outcome 1, which is less than the 90 percent required for substantial conformity.

In general, the CFSR process found that most children in the foster care cases reviewed did not have permanency and stability in their living situations. Establishing appropriate permanency goals and achieving adoptions in a timely manner were identified as critical problems, with reviewers rating "adoption" as an Area Needing Improvement in 90 percent of the applicable cases. "Other planned living arrangement" also was identified as an area of concern because reviewers determined that in the majority of case involving this permanency goal, DCS had not explored alternative permanency options before assigning long-term foster care/emancipation as the permanency goal.

#### **Item 5. Foster care re-entries**

☐ Strength      ☒ Area Needing Improvement

**Review Findings:** Eight of the 29 cases were applicable to an assessment of foster care re-entries because they involved children who entered foster care at some time during the period under review. In assessing this item, reviewers were to determine whether the entry into foster care during the period under review had occurred within 12 months of discharge from a prior foster care episode. The results of this assessment were the following:

- Item 5 was rated as a Strength in 6 (75%) of the 8 applicable cases.
- Item 5 was rated as an Area Needing Improvement in 2 (25%) of the 8 applicable cases.

In both of the cases rated as an Area Needing Improvement for this item, the child re-entered foster care within 9 months of discharge from a prior episode.

Some stakeholders commenting on this issue expressed the opinion that in the future they expect that re-entry into foster care will no longer be a problem for the State. They attributed this expectation to a recently implemented policy of providing services to families for 9 months after reunification.

**Determination and Discussion:** Item 5 was rated as an Area Needing Improvement based on the following findings:

- In 25 percent of the cases, reviewers determined that a re-entry into foster care had occurred within 12 months of discharge from a prior episode.



- The State's incidence of foster care re-entry in FY 2000 (as reported in the State Data Profile) is 10.1 percent, which does not meet the national standard of 8.6 percent.

According to the Statewide Assessment, DCS believes that the rate of foster care re-entry is due in part to the fact that until recently, the agency has not been able to provide services to families beyond the mandatory 90-day trial home visit. The Statewide Assessment notes that with the implementation of the Family Support Services and a statutory requirement to provide families with services for 9 months after reunification, DCS anticipates that the rate will be reduced.

#### **Item 6. Stability of foster care placement**

\_\_\_\_ Strength \_\_X\_\_ Area Needing Improvement

**Review Findings:** All 29 foster care cases were applicable for an assessment of Item 6. In assessing this item, reviewers were to determine whether the child experienced multiple placement settings during the period under review and if so, whether the changes in placement settings were necessary to achieve the child's permanency goal or meet the child's service needs. The findings of this assessment were the following:

- Item 6 was rated as a Strength in 19 (66%) of the 29 applicable cases.
- Item 6 was rated as an Area Needing Improvement in 10 (34%) of the 29 applicable cases.

The case review also found the following:

- Children in 15 cases experienced only 1 placement setting during the period under review, but in 1 of these cases the child experienced 6 placement settings prior to the period under review.
- Children in 9 cases experienced between 2 to 4 placement settings during the period under review.
- Children in 5 cases experienced 5 or more placement settings during the period under review.

This item was rated as a Strength when reviewers determined that children did not experience a change in placement setting during the period under review, or that the changes experienced were necessary to meet children's needs or promote attainment of their permanency goals (such as movement from a shelter to a foster home, or from a residential treatment center to a therapeutic foster home).

A rating of Area Needing Improvement was assigned when reviewers made the following determinations:

- Children experienced multiple placement settings during the period under review, and changes in at least one of the placement settings did not reflect efforts to promote goal attainment or meet their service needs (5 cases).
- The agency placed children in residential facilities without attempting to find more appropriate alternative placements (2 cases).
- The agency did not make diligent efforts to prevent placement disruptions by addressing the needs of foster parents experiencing problems with children in their care (3 cases).

Some stakeholders commenting on this issue noted that there are many cases in which children and foster parents are well-matched and that the agency is addressing the issue of placement instability by increasing the availability of respite services for foster parents. However, most stakeholders voiced the opinion that there is a critical lack of placement resources. As a result, some children are placed in settings on the basis of availability rather than appropriateness or remain in diagnostic centers for a long period of time waiting for a permanent placement. Stakeholders were particularly concerned about the DCS practice of placing young children in residential facilities or therapeutic foster homes when they do not require that level of care. Stakeholders also expressed concern that "unruly children" experience a number of placement changes often without either the children or the caretakers receiving any supportive services. Finally, several stakeholders noted that agencies providing foster care services under contract to DCS do not always notify the agency when a child's placement setting changes.

***Determination and Discussion:*** Item 6 was assigned an overall rating of Area Needing Improvement based on the following:

- In 34 percent of the cases, reviewers determined that children did not have placement stability and that placement changes were not in the best interest of the child.
- The State Data Profile indicated that 61.1 percent of children in foster care for 12 months or less during FY 2000 had no more than two placement settings, which does not meet the national standard of 86.7 percent.

The Statewide Assessment attributes the State performance with respect to placement stability to the disproportionate number of children age 13 and older in State custody (approximately 55%), and particularly to the older adolescent population with specialized needs. As noted in the Statewide Assessment, these older children are much more likely than younger children to experience multiple placement settings. DCS anticipates that additional services such as Family Support Services will support the department's goal of permanency with a fewer number of placements for each child. However, the Statewide Assessment did not address the key issue identified by stakeholders in explaining placement instability, which is the lack of appropriate placement resources.

The Statewide Assessment also noted that, in some instances, children placed with a private provider may move from one home to another within the provider's network. Because the children are still with the same child placement provider, these moves are not captured in the State's management information system (TN KIDS). Consequently, the number of changes in placement settings that children experience is underreported.

## Item 7. Permanency goal for child

\_\_\_\_ Strength      \_\_X\_\_ Area Needing Improvement

**Review Findings:** All 29 foster care cases were applicable for an assessment of item 7. In assessing this item, reviewers were to determine whether the agency had established an appropriate permanency goal for the child in a timely manner. The findings of this assessment were the following:

- Item 7 was rated as a Strength in 17 (59%) of the 29 applicable cases.
- Item 7 was rated as an Area Needing Improvement in 12 (41%) of the 29 applicable cases.

The assessment also identified the following permanency goals for children in foster care.

- 11 children had a goal of reunification or permanent placement with relatives
- 10 children had a goal of adoption (7 of these had a prior goal of reunification)
- 8 children had a goal of long term foster care leading to emancipation.

Children in 17 of the 29 applicable cases had been in care for 15 of the past 22 months. The agency filed for TPR for 11 of these children and attained TPR for 10 children. For the children for whom TPR had not been filed, exceptions were noted in the case file in three cases, but no exceptions were provided in the other 3 cases.

Cases were assigned a rating of Strength for this item when reviewers determined that the agency had made diligent efforts to establish an appropriate permanency goal in a timely manner.

Cases rated as an Area Needing Improvement for this item included four cases in which the goal was adoption, three cases in which the goal was reunification, three cases in which the goal was long-term foster care, and two cases in which the goal was emancipation. The rating of Area Needing Improvement was assigned when reviewers determined one or more of the following:

- The permanency goal established was not appropriate, usually because other alternatives had not been adequately explored (4 cases).
- Permanency goals were not established in a timely manner (7 cases).
- The child has multiple goals, including emancipation, but the agency does not appear to be focused on any of the goals (1 case)
- TPR was not sought, but there were no exceptions noted in the case record (2 cases)

Some stakeholders commenting on this issue noted that the agency is not meeting ASFA timeframes. A key problem identified was that caseworkers are maintaining the goal of reunification for too long a time period because they are reluctant to admit that reunification is not possible. However, some stakeholders suggested that the agency is improving in terms of establishing appropriate goals in a timely manner and praised the agency for the use of concurrent planning, although it was acknowledged that concurrent planning is not being implemented on a consistent basis across the State. Stakeholders also noted that the agency is making efforts to reduce use of the goal of long-term foster care and to increase the establishment of goals of reunification, guardianship, and adoption. Stakeholders described the agency's efforts to monitor and address the "backlog of cases in custody since before October 1998 that have not achieved permanency" and report a reduction in that type of case from over 2500 cases in November 2001 to 1790 cases as of May 2002.

***Determination and Discussion:*** Item 7 was assigned an overall rating of Area Needing Improvement because in 41 percent of the cases, reviewers determined that DCS had not established appropriate permanency goals for children in a timely manner. Of particular concern was the practice of establishing a goal of long term foster care leading to emancipation without exploring alternative goals, such as adoption or guardianship. In addition, neither stakeholders nor reviewers indicated that caseworkers are implementing concurrent planning efforts on a consistent basis. Although there was evidence that multiple goals were in place for children, there was no indication that concurrent efforts were ongoing to achieve those goals.

### **Item 8. Reunification, Guardianship, or Permanent Placement with Relatives**

\_\_\_\_ Strength \_\_X\_\_ Area Needing Improvement

***Review Findings:*** Item 8 was applicable for 13 cases. In assessing these cases, reviewers were to determine whether the agency had achieved the goals of reunification, guardianship, or permanent placement with relatives for the children in a timely manner (that is, within 12 months of the removal of the children from their homes) or, if the goal had not been achieved in a timely manner, whether the agency had made, or was in the process of making, diligent efforts to achieve the children's goal. The results of this assessment were the following:

- Item 8 was rated as a Strength in 9 (69%) of the 13 applicable cases.
- Item 8 was rated as an Area Needing Improvement in 4 (31%) of the 13 applicable cases.

Of the 13 applicable cases, 12 had a goal of reunification and 1 had a goal of permanent placement with relatives. The permanency goal was achieved for four cases. In three of those cases (all with reunification as a goal), permanency was achieved within 12

months. A rating of Strength was assigned for this item in cases in which the goal had been attained in a timely manner or the reviewer determined that the agency had made, or was making, diligent effort to achieve the goal.

In the four cases assigned a rating of Area Needing Improvement, reviewers determined that the agency had not made the necessary efforts to engage parents in services so that children could be safely reunified with their families.

Some stakeholders commenting on this issue voiced praise for DCS with respect to its efforts to reunify families and cited the availability of post-reunification services as particularly noteworthy. However, many stakeholders expressed the opinion that the agency tends to be child focused with regard to service delivery and needs assessments rather than family focused. They suggested that this practice contributes to delays in reunifying families because there is not sufficient consideration of family issues that may contribute to children's behavior problems. Similarly, some stakeholders suggested that some reunifications are premature because the agency has not sufficiently assessed change in the risk factors for the children. A few stakeholders also suggested that relative caregivers are not being adequately informed about the permanency options that are available to them.

***Determination and Discussion:*** This item was assigned an overall rating of Area Needing Improvement based on the following:

- The State Data Profile indicates that the State's percentage for reunifications occurring within 12 months of entry into care is 61.3, which does not meet the national standard of 76.2 percent.
- In 31 percent of the cases, reviewers determined that the agency had not made diligent efforts to bring about permanency for children with a goal of reunification, permanent placement with relatives, or guardianship.

The rating of this item as an Area Needing Improvement is consistent with information provided in the Statewide Assessment. As noted in the Statewide Assessment, the ability of DCS to provide the intensified and high quality case management necessary for timely reunification has been hindered by the high caseloads that caseworkers carry. The Statewide Assessment also notes that many children in the State have been placed in agency custody by the court due to truancy or other "unruly" behavior. This has lead workers to focus on meeting children's service needs with respect to improving their behavior problems, rather than on addressing family problems and service needs that might lead to expediting reunification, particularly for dependency cases.

## **Item 9. Adoption**

\_\_\_\_ Strength      \_\_X\_\_ Area Needing Improvement

**Review Findings:** Ten of the foster care cases were assessed for item 9. In assessing this item, reviewers were to determine whether appropriate and timely efforts had been, or were being, undertaken to achieve finalized adoptions. The results were the following:

- Item 9 was rated as a Strength in 1 (10%) of the 10 applicable cases.
- Item 9 was rated as an Area Needing Improvement in 9 (90%) of the 10 applicable cases.

At the time of the onsite review, none of the children in the 10 applicable cases had a finalized adoption. However, in one case, the adoption was scheduled to be finalized within a few days after completion of the onsite review. Six of the 10 children awaiting adoption finalization are currently in adoptive placements with foster parents.

This item was assigned a rating of Strength in the one case for which a finalized adoption was expected a few days after the onsite review. This adoption, which involves an infant, will have been finalized within 13 months of entry into foster care.

A rating of Area Needing Improvement was assigned to cases when reviewers determined that the agency had not made diligent efforts to achieve a finalized adoption in a timely manner. In five cases, the permanency goal of adoption had been in place for more than 4 years and the adoption had not yet been finalized, and in two other cases, the permanency goal of adoption has been in place for at least two years, although the child has been in foster care for much longer.

Reviewers indicated that almost all delays in adoption finalization found in the case reviews were the result of poor casework practice. One child's goal was not changed to adoption until one year after her mother died, even though she had no contact with her father. Another child had been in foster care for 4 years and entered foster care as a healthy infant. The caseworker had rejected attempts by a relative and another adoptive family to adopt this child and the child is currently without an adoptive placement. In yet another case, the foster child had not been assigned a caseworker for almost a year and was only assigned one when the foster parent called the DCS administration and demanded that the child be assigned a caseworker. Other problems identified were that home studies had not been completed, workers had not begun the filing process for TPR, the children did not have life books, and cases had not been transferred to an adoption unit. In only one case rated as an Area Needing Improvement did reviewers find that the delay was due to a lack of sufficient legal representation in the agency rather than poor casework practice.

Stakeholders described agency efforts to increase finalized adoptions through the monitoring of cases by See What Adoption Takes (SWAT) teams designed to find adoptive placements for the hardest-to-place children.

Stakeholders commenting on the issue of adoption also identified key barriers to attaining adoptions in a timely manner, including the practice of some caseworkers of not identifying fathers early on in the case and the lengthy delays in attaining TPR. The delays in attaining TPR were perceived as particularly problematic to stakeholders and were said to be the result of the following factors:

- Judges and agency workers being reluctant to seek TPR when parents request another chance.
- The length of the TPR appeal process, which can take up to 2 years.
- The unwillingness on the part of the agency attorneys to file for TPR unless they are sure that it will be granted.

In addition to these concerns, stakeholders in one of the sites included in the onsite review noted that foster parents are not routinely receiving information on adoption subsidies.

***Determination and Discussion:*** Item 9 was assigned an overall rating of Area Needing Improvement based on the following:

- In 90 percent of the applicable cases, reviewers determined that the agency was not engaging in sufficient efforts to achieve finalized adoptions for children in foster care.
- The State Data Profile indicates that the percentage of finalized adoptions in FY 2000 that occurred within 24 months of removal from home (10.5%) is less than the national standard of 32.0.

This determination is consistent with information provided in the Statewide Assessment. As noted in the Statewide Assessment, the agency's ability to achieve permanency through adoption has been greatly hindered by the fact that until recently the agency only had 16 attorneys covering all 95 counties. In FY 2001 and 2002, the agency was able to increase the number of attorneys, and now has 66. According to the Statewide Assessment, the agency expects that the increase in the number of attorneys will enhance the ability of the department to pursue TPR in a timely manner. However, this information does not address the significant case practice problems noted in the case review process.

The Statewide Assessment also notes that because the agency has made concerted efforts and has experienced success in finding adoptive placements and finalizing adoptions for children who have been in foster care for long periods of time, the state data for the percentage of children achieving adoption in 24 months or less appears to be very low. According to the Statewide Assessment, DCS anticipates that once adoptive placements are found for the backlog of children awaiting adoption for long periods of time, the percentages of children achieving adoptions within 24 months or less will increase.

#### **Item 10. Permanency goal of other planned permanent living arrangement**

\_\_\_\_ Strength \_\_X\_\_ Area Needing Improvement

**Review Findings:** The assessment of item 10 was applicable for 9 cases. In assessing this item, reviewers were to determine if the agency had made, or was making diligent efforts to assist children in attaining their goals related to other planned permanent living arrangements. The results of this assessment were the following:

- Item 10 was rated as a Strength in 4 (44%) of the 9 applicable cases.
- Item 10 was rated as an Area Needing Improvement in 5 (56%) of the 9 applicable cases.

Cases were rated as a Strength for this item when reviewers determined that children approaching the age of emancipation were provided with services to prepare them for independent living.

This item was rated as an Area Needing Improvement when reviewers determined one or more of the following: (1) that other possible permanency options were not fully explored prior to establishing the goal of long-term foster care leading to emancipation (2 cases), (2) that children were not provided adequate services to prepare them for independent living (2 cases), and (3) that foster parents who were interested in adoption were not provided with adequate information about this option prior to the change in the goal (2 cases). In two of the cases rated as an Area Needing Improvement, the reviewers reported that foster parents were willing to adopt the children if they had adequate information about the services that are available to them after adoption.

Stakeholders commenting on this issue expressed the opinion that children being emancipated from foster care are not prepared to live independently in the community and that the State needs more independent living services to address this problems. In addition, Stakeholders suggested that children and foster parents are not always being informed about the availability of independent living services. Stakeholders did note, however, that funds from the John H. Chafee Foster Care Independence Act have been used to fund regional independent living program coordinators and increased services for children aged 18-21.

**Determination and Discussion:** Item 10 was assigned an overall rating of Area Needing Improvement because in 56 percent of the applicable cases, reviewers determined that the agency had not made diligent efforts to assist children in attaining more appropriate goals, such as guardianship or adoption, or had not provided the necessary services to support children's eventual emancipation to independent living. This finding is consistent with information reported in the Statewide Assessment. According to the Statewide Assessment, DCS does not consider long-term foster care leading to eventual emancipation as an appropriate goal, especially for younger adolescents. The Statewide Assessment notes that there has been a slight decrease in the number of children with this goal from 2000 to 2001 and anticipates that this decrease will continue.



## Permanency Outcome 2

<b>Outcome P2: The continuity of family relationships and connections is preserved for children.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	<b>Knox</b>	<b>Shelby</b>	<b>Sumner</b>	<b>Total</b>	<b>Percentage</b>
Substantially Achieved:	4	6	1	11	37.9
Partially Achieved:	4	4	7	15	51.8
Not Achieved or Addressed:	0	3	0	3	10.3
Not Applicable:	8	9	4	21	

### STATUS OF PERMANENCY OUTCOME 2

Tennessee did not achieve substantial conformity with Permanency Outcome 2. This determination was based on the finding that the outcome was rated as substantially achieved in only 37.9 percent of the cases, which is less than the 90 percent required for substantial conformity.

Although the CFSR process revealed many areas of concern with respect to this outcome, DCS was found to be effective in placing children in close proximity to their parents or close relatives. However, information from both case reviews and stakeholder interviews suggested that DCS is not consistently effective in placing siblings together, facilitating or promoting visitation with parents and siblings in foster care, preserving children's connections, seeking relatives as potential placement resources, and promoting or maintaining the relationship between children and their parents.

Specific findings pertaining to the items assessed under Permanency Outcome 2 are presented and discussed below.

#### Item 11. Proximity of foster care placement

☒ Strength      ☐ Area Needing Improvement

**Review Findings:** Of the 29 foster care cases, 26 were applicable to an assessment of item 11. Not applicable cases were those in which TPR had been attained prior to the period under review or in which contact with parents was not considered to be in the child's best interest. In assessing item 11, reviewers were to determine whether the child's foster care setting was in close proximity to the child's parents or close relatives. This assessment resulted in the following findings:

- Item 11 was rated as a Strength in 22 (85%) of the 26 applicable cases.
- Item 11 was rated as an Area Needing Improvement in 4 (15%) of the 26 applicable cases.

In the 22 cases rated as a Strength, reviewers determined that children were placed in the same community or county as parents or relatives (15 cases) or that the out-of-area placement was necessary to meet the children's needs (7 cases). In the four cases in which this item was rated as an Area Needing Improvement, reviewers determined that the children were placed outside of their county of origin and that this placement hindered achievement of family reunification.

Stakeholders' comments on this issue varied. In one site included in the onsite review, stakeholders indicated that it is a challenge to keep children within a 75-mile radius of their communities due to a lack of placement resources, particularly residential care, minority foster homes, and homes that will take teenagers. In the other sites, stakeholders suggested that placement in proximity to parents was primarily a problem when children needed a therapeutic foster home setting.

***Determination and Discussion:*** Item 11 was assigned an overall rating of Strength because in 85 percent of the applicable cases, reviewers determined that children had been placed in foster homes that were in close proximity to their parents or, when children were placed out of their communities of origin, the placement was necessary to meet the special needs of the child. This finding was consistent with information provided in the Statewide Assessment indicating that there is a new agency policy to place children within a 75-mile radius of their community of origin (i.e., where they resided prior to entering foster care).

## **Item 12. Placement with siblings**

\_\_\_\_ Strength      X Area Needing Improvement

***Review Findings:*** Fifteen of the 29 foster care cases were applicable for an assessment of item 12 because the children in the cases had siblings who were also in foster care. In assessing item 12, reviewers were to determine whether siblings were, or had been, placed together, and, if not, whether separation was necessary to meet the needs of one or more of the children.

This assessment resulted in the following findings:

- Item 12 was rated as a Strength in 10 (67%) of the 15 applicable cases.
- Item 12 was rated as an Area Needing Improvement in 5 (33%) of the 15 applicable cases.

In 5 of the 15 applicable cases, the child was in the same placement setting as at least one other sibling, and in 3 of these cases, the child was in the same placement setting as all of his or her siblings. In the 10 cases in which children were separated from siblings,

reviewers determined that the separation was due to a lack of placement resources for large sibling groups. In five of the applicable cases reviewers determined that the separation of the child from siblings was necessary to meet the emotional, behavioral, or medical needs of one or more of the siblings. Cases were rated as an Area Needing Improvement for this item when reviewers determined that the separation of siblings was not necessary to meet the needs of one or more of the siblings.

Stakeholders commenting on this issue expressed the opinion that siblings in foster care usually are placed together, although they noted that there is a lack of sufficient placement resources for large sibling groups. Some stakeholders suggested that adolescent siblings are less likely than younger children to be placed together.

***Determination and Discussion:*** Item 12 was assigned an overall rating of Area Needing Improvement based on the finding that in 33 percent of the cases, siblings were not placed together and there was no justifiable reason for their separation. This finding is not consistent with DCS policy, which according to information provided in the Statewide Assessment, requires that siblings must be placed together in the least restrictive, home-like environment available to meet the children's needs.

### **Item 13. Visiting with parents and siblings in foster care**

\_\_\_ Strength \_\_X\_\_ Area Needing Improvement

***Review Findings:*** An assessment of item 13 was applicable for 27 of the 29 foster care cases. Cases were not applicable if the child had no siblings in foster care, if the parents could not be located, and/or if visitation with parents was considered not in the best interests of the child. In assessing this item, reviewers were to determine (1) whether the agency had made, or was making, diligent efforts to facilitate visitation between children in foster care and their parents and siblings in foster care, and (2) whether these visits occurred with sufficient frequency to meet the needs of children and families. The findings of this assessment were the following:

- \* Item 13 was rated as a Strength in 19 (70%) of the 27 applicable cases.
- \* Item 13 was rated as an Area Needing Improvement in 8 (30%) of the 27 applicable cases.

The analysis of the case record reviews indicated that there were 22 cases for which an assessment of visitation between mothers and children was applicable. The findings were that visits between children and their mothers took place on a weekly basis in three cases, twice a month in six cases, monthly in five cases, and less than monthly in five cases. In three applicable cases there were no visits between children and their mothers.

Visitation with fathers was more likely than visitation with mothers to be rated as “not applicable” for this assessment because the fathers had either not been identified or not been located. For the 16 applicable cases, visits with fathers typically occurred weekly in 1 case, twice a month in 4 cases, once a month in 1 case, and less than once a month in 3 cases. In seven cases, fathers and children did not visit at all.

Visitation with siblings was applicable in 12 cases. Reviewers indicated that visits typically occurred at least monthly in five cases and less frequently than once a month in four cases. There were no visits between siblings in three cases. In six of the seven cases in which no visits occurred, or visits typically took place less frequently than once a month, reviewers determined that the agency had not made diligent efforts to promote greater visitation. In the seventh case, the child typically visited with siblings once every 3 months.

Cases were rated as an Area Needing Improvement for this item when reviewers determined that there was insufficient visitation between siblings or between parents and children, and that the agency had not made concerted efforts to promote more frequent visitation.

Stakeholders commenting on this issue were in general agreement that the agency is effective in promoting visitation between children and custodial parents, but suggested that it is less effective with respect to facilitating visitation between siblings or between children and non-custodial parents. Several stakeholders also expressed concern that the agency does not make sufficient efforts to engage fathers in their children’s lives. In addition, some stakeholders expressed the opinion that parent-child visits are not of sufficient duration and frequency to contribute to successful reunification.

***Determination and Discussion:*** Item 13 was assigned an overall rating of Area Needing Improvement because in 30 percent of the applicable cases, reviewers determined that DCS had not made concerted efforts to facilitate visitation. This determination occurred most frequently in the assessment of visitation between children and their siblings. According to the Statewide Assessment, State policy requires that the worker facilitate the maintenance of family relationships by arranging for visitation and other contact between family members and children in foster care.

#### **Item 14. Preserving connections**

\_\_\_\_ Strength      \_\_X\_\_ Area Needing Improvement

**Review Findings:** Item 14 was applicable for assessment in 28 of the 29 foster care cases. In assessing item 14, reviewers were to determine whether the agency had made, or was making, diligent efforts to preserve the child's connections to family, neighborhood, community, culture, family, faith, and friends while the child was in foster care. The assessment resulted in the following findings:

- Item 14 was rated as a Strength in 18 (64%) of the 28 applicable cases.
- Item 14 was rated as an Area Needing Improvement in 10 (36%) of the 28 applicable cases.

Case reviewers determined that in 18 of the 28 cases, children's primary connections had been "significantly" preserved while they were in foster care; in 6 of the 28 cases, children's primary connections had been "partially" preserved; and in 4 cases children's primary connections had been "not at all" preserved. There were no cases involving Native American children.

Cases were rated as a Strength for this item when reviewers determined that children's connections had been preserved with extended family members (9 cases), parents (through visitation) (5 cases), school and friends (4 cases), church and cultural heritage (4 cases), and former foster parents (1 case).

Cases were rated as an Area Needing Improvement for this item when reviewers determined that the agency had not made efforts to preserve the child's connections to family, neighborhood, community, culture, family, faith, and friends while the child was in foster care. Concerns identified pertained to the lack of connection of the children with their communities and biological families.

Some stakeholders commenting on this issue expressed concern about the agency's ability to preserve children's connections to their cultures, particularly given the shortage of placement resources for Sudanese and African American children in foster care. A few stakeholders also suggested that the agency does not make sufficient efforts to preserve children's connections with their schools or churches. A key concern noted by both stakeholders and reviewers is that connections with noncustodial fathers and their extended family are not being maintained.

**Determination and Discussion:** Item 14 was assigned an overall rating of Area Needing Improvement because in 36 percent of the cases, reviewers determined that children's connections to family, community culture, faith, and friends had not been preserved while the child was in foster care.

### **Item 15. Relative placement**

\_\_\_\_ Strength      \_\_X\_\_ Area Needing Improvement

**Review Findings:** An assessment of item 15 was applicable for 26 of the 29 foster care cases. Cases considered not applicable for an assessment of this item were those in which a family/home setting was not considered an appropriate placement for the child. In assessing this item, reviewers were to determine whether the agency had made diligent efforts to locate and assess relatives (both maternal and paternal relatives) as potential placement resources for children in foster care. The results of this assessment were the following:

- Item 15 was rated as a Strength in 10 (38%) of the 26 applicable cases.
- Item 15 was rated as an Area Needing Improvement in 16 (62%) of the 26 applicable cases.

This item was rated as a Strength when reviewers determined that; (1) the child was placed with relatives (a paternal grandparent) (1 case), (2) the child is being adopted by an older sibling (1 case), (3) the child was placed with relatives in a prior placement (1 case), or (4) that children were not placed with relatives but that the agency had made diligent efforts to seek relatives and assess them as a placement resource (7 cases).

Cases were rated as an Area Needing Improvement for this item when reviewers determined that the agency had made no efforts to explore the possibility of relative placements (12 cases), or when the agency had conducted only a limited exploration of potential relative placements, such as seeking and assessing maternal, but not paternal, relatives (4 cases).

Generally, stakeholders commenting on this issue expressed the opinion that DCS does not make adequate efforts to seek relatives as potential placement resources, especially non-custodial parents. A few stakeholders, however, said that relatives are sought as placement resources throughout the life of a case.

**Determination and Discussion:** Item 15 was assigned an overall rating of Area Needing Improvement because reviewers determined that in 62 percent of the applicable cases, the agency had not made diligent efforts to locate and assess relatives as potential placement resources. This finding is consistent with information reported in the Statewide Assessment that the use of relative placements for children in care is not as high as it should be and that DCS is implementing efforts to improve the number of relative placements. However, the Statewide Assessment also indicated that the use of relative caregivers may be significantly underreported in the data system because the State's information system, TN KIDS cannot easily identify relative caregivers. The Statewide assessment notes that there are several issues that contribute to the under utilization of relative placements including the general perspective of Court and DCS staff that relatives should care for children without financial assistance from the State.

A key issue with respect to this item may be the fact that concerted efforts are made early on in a case to find relatives who can serve as caretakers for the children prior to the State assuming custody of the child. During the CFSR process, it was learned

that if a suitable relative is found, the child is placed with the relative as an alternative to the State assuming custody. Consequently, these children and relative caregivers are not part of the DCS foster care caseload. It may be that when no relatives are found during this process, the State does not continue to seek relatives as placement resources once it has assumed custody of the child, believing that it has exhausted potential resources.

#### **Item 16. Relationship of child in care with parents**

\_\_\_ Strength      \_\_X\_\_ Area Needing Improvement

**Review Findings:** An assessment of item 16 was applicable for 23 of the 29 foster care cases. A case was considered not applicable for an assessment of this item if parental rights had been terminated and parents were no longer involved with the child or if a relationship with the parents was considered to be not in the child's best interest. In assessing this item, reviewers were to determine whether the agency had made diligent efforts to support or maintain the bond between the child and both of his/her parents through visitation and provision of services that promote bonding. The results of this assessment were the following:

- Item 16 was rated as a Strength in 14 (61%) of the 23 applicable cases.
- Item 16 was rated as an Area Needing Improvement in 9 (39%) of the 23 applicable cases.

Cases were assigned a rating of Strength for this item when reviewers determined that (1) there was a strong bond between parents and the child that the agency supported through facilitating frequent visitation, or (2) there was not a strong bond between the parent and the child, but the agency made concerted efforts to promote bonding through frequent visitation or services designed to strengthen the parent-child relationship. Reviewers identified several examples of agency attempts to promote bonding and visitation, including offering family counseling, providing transportation for visitation, and allowing a mother to bring a birthday cake to a child's residential facility.

Reviewers assigned a rating of Area Needing Improvement to this item when they determined that the agency had not made diligent efforts to support or maintain the bond between the child and both of his/her parents through promoting visitation and/or providing services designed to enhance bonding between children and parents.

**Discussion and Determination:** Item 16 was assigned an overall rating of Area Needing Improvement because in 39 percent of the cases, reviewers determined that the agency had not made sufficient efforts to support or maintain the bond between parents and their children while the children were in foster care.

### III. CHILD AND FAMILY WELL-BEING

#### Well-Being Outcome 1

<b>Outcome WB1: Families have enhanced capacity to provide for their children's needs.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	<b>Knox</b>	<b>Shelby</b>	<b>Sumner</b>	<b>Total Number</b>	<b>Total Percentage</b>
Substantially Achieved:	8	14	4	26	52.0
Partially Achieved:	8	6	7	21	42.0
Not Achieved or Addressed:	0	2	1	3	6.0
Not Applicable:	0	0	0	0	

#### STATUS OF WELL-BEING OUTCOME 1

Tennessee did not achieve substantial conformity with Well-Being Outcome 1. This determination was based on the finding that the outcome was rated as substantially achieved in only 52 percent of the cases reviewed, which is less than the 90 percent required for a determination of substantial conformity.

The CFSR process found that DCS is not consistent in its efforts to identify and provide for the service needs of families or to involve them in case planning. In addition, there was evidence of infrequent face-to-face contact between agency workers and the parents in their cases, although service providers from private agencies did appear to have frequent contact with children and parents.

Findings pertaining to the specific items assessed under Well-Being Outcome 1 are presented and discussed below.

#### Item 17. Needs and services of child, parents, foster parents

\_\_\_\_ Strength      \_\_X\_\_ Area Needing Improvement



**Review Findings:** An assessment of item 17 was applicable for all 50 cases. In assessing the item, reviewers were to determine whether the agency had (1) adequately assessed the needs of children, parents, and foster parents; and (2) provided the services necessary to meet those needs. The results were the following:

- Item 17 was rated as a Strength in 28 (56%) of the 50 cases (17 of which were foster care cases).
- Item 17 was rated as an Area Needing Improvement in 22 (44%) of the 50 cases (12 of which were foster care cases).

Reviewers made the following determinations from the cases and case-related interviews:

- Children's needs were assessed in 46 of the 50 applicable cases and appropriate services were provided in 35 cases. Reviewers identified five cases in which services provided were not considered to be appropriate to the child's needs.
- Mothers' needs were assessed and services provided in 37 of the 44 cases in which an assessment of mothers' needs was determined to be applicable.
- Fathers' needs were assessed and services provided in 20 of the 27 cases in which an assessment of fathers' needs was determined to be applicable.
- Foster parents' needs were assessed in 19 of the 24 applicable cases. Services were provided to foster parents in 20 of the foster care cases.

In general, cases were rated as a Strength for this item when there were no unmet assessment or services needs for children, mothers, and foster parents.

A rating of Area Needing Improvement was assigned to cases in which reviewers made the following determinations:

- The needs of children or parents were not assessed or were not adequately assessed (7 cases)
- Identified service needs were not met during the period under review (8 cases)
- Services provided were inappropriate to the children's or parents' needs (3 cases).
- Foster parents did not receive sufficient supportive services from the agency (4 cases).

Most stakeholders commenting on this issue expressed the opinion that DCS is effective in meeting the service needs of children in foster care, although some concerns were noted regarding obtaining needed supplies for children in foster care such as clothes, diapers, and formula. However, a few stakeholders suggested that some services for children are not provided with sufficient frequency to be effective, such as counseling services that are provided once a month.

Stakeholders were in general agreement that services to parents, particularly in foster care cases, are not adequate to support reunification and that the agency in general tends to be child-focused rather than family-focused in its service approach. Stakeholders noted that the agency will specify for parents the services in which they are expected to participate, but will not facilitate access to, or

engagement in, those services. In addition, parents often are expected to pay for the services themselves if their insurance does not cover them.

A key problem noted by stakeholders in two sites included in the onsite review is that foster parents sometimes are threatened with the removal of children in their care if they ask about subsidies or other forms of financial supports. Several stakeholders also expressed the opinion that DCS rarely provides foster parents with services to preserve placements when foster parents indicate that they are experiencing problems with a child in their care or with their ability to continue as foster parents.

***Determination and Discussion.*** Item 17 was assigned an overall rating of Area Needing Improvement because in 44 percent of the cases, reviewers determined that the needs and services of children, parents, and/or foster parents had not been, or were not being, adequately addressed by DCS. Areas of concern included (1) the adequacy of assessments, particularly with respect to identifying underlying problems such as substance abuse and sexual abuse; (2) inconsistencies in meeting children's and parent's service needs; and (3) a lack of attention in some cases to the service needs of foster parents. One of the key unmet service needs for many adolescents in foster care was the need for services to prepare them for eventual independent living.

#### **Item 18. Child and family involvement in case planning**

\_\_\_\_ Strength      \_\_X\_\_ Area Needing Improvement

***Review Findings:*** An assessment of item 18 was applicable for 46 of the 50 cases. Cases were considered not applicable for this assessment if involving parents was considered to be not in the child's best interest and if the child was not old enough to participate in planning. In assessing this item, reviewers were to determine whether parents and children (if age appropriate) had been involved in the case planning process. A determination of involvement in case planning required that a parent (or child) had actively participated in identifying the services and goals included in the case plan. This assessment produced the following findings:

- Item 18 was rated as a Strength in 30 (65%) of the 46 applicable cases (11 of which were foster care cases).
- Item 18 was rated as an Area Needing Improvement in 16 (35%) of the 46 applicable cases (13 of which were foster care cases).

Specific determinations of the review process were the following:

- Mothers were appropriately involved in the case planning process in 33 cases. In 7 cases, the mother was not involved but should have been. There were 6 cases in which the mother was not available to participate, and 4 cases in which the mother's participation was considered to be contrary to the child's best interest.
- Fathers were appropriately involved in the case planning process in 13 cases. In 10 cases the father was not involved but should have been. There were 22 cases in which the father was not available to participate and 5 cases in which the father's participation was considered to be contrary to the child's best interest.
- Children were appropriately involved in the case planning process in 35 cases. In 2 cases children were not involved although reviewers determined that they were old enough to have been involved. However, one of these children was developmentally delayed. There were 13 cases in which reviewers determined that the children were not old enough to participate in the case planning process.

Cases were assigned a rating of Strength for this item when reviewers determined that all relevant parties had actively participated in the case planning process. Cases were assigned a rating of Area Needing Improvement when reviewers determined that one or more of the key parties had not been sufficiently involved in the case planning process. There were two cases in which parents and eligible children were present during the case planning process and the agency requested that they sign the plans, but the parents indicated to reviewers that they had little understanding of the plan.

Most stakeholders commenting on this issue expressed the opinion that case plans are not individualized and that parents have little or no input in their development. A few stakeholders suggested that the agency's efforts to introduce family conferencing and the new permanency plan format should address the problem of parents and other relatives not being meaningfully involved in the planning process. Stakeholders' opinions regarding children's involvement were divided, with some stakeholders noting that children are not involved and others reporting that children are involved in the planning process when appropriate

***Determination and Discussion:*** Item 18 was assigned an overall rating of Area Needing Improvement because in 35 percent of the applicable cases, reviewers determined that DCS had not appropriately involved parents or children in the case planning process. This finding is contrary to DCS policy as stated in the Statewide Assessment. State policy requires that parents of children in care participate in the development of their child's plan. DCS expects that parents and age/maturity appropriate children be involved in the assessment of family strengths and needs, the development of permanency plans, and the legislatively required reviews by foster care review boards and the juvenile court.

#### **Item 19. Worker visits with child**

☒ Strength      ☐ Area Needing Improvement

**Review Findings:** An assessment of item 19 was applicable for all 50 cases. In conducting this assessment, reviewers were to determine whether the frequency of visits between caseworkers and children was sufficient to ensure adequate monitoring of the child's safety and well-being, and whether visits focused on issues pertinent to case planning, service delivery, and goal attainment. The results of this assessment were the following:

- Item 19 was rated as a Strength in 46 (92%) of the 50 applicable cases (26 of which were foster care cases).
- Item 19 was rated as an Area Needing Improvement in 4 (8%) of the 50 applicable cases (3 of which were foster care cases)

Reviewers noted the following with respect to typical patterns of caseworker visits with children:

- Once a week in 6 cases.
- Twice a month in 15 cases.
- Once a month in 25 cases.
- Less frequently than once a month in 4 cases.

This item was rated a Strength when reviewers determined that visits between workers and children were of sufficient frequency to meet the needs of the child and monitor the child's safety and when the visits focused on issues pertinent to case planning, service delivery, and goal attainment. Cases were rated as an Area Needing Improvement when reviewers determined that the frequency of visits was not sufficient to meet the child's needs and/or monitor safety and/or the visits did not focus on issues relevant to the case plan or achieving the child's permanency goal.

Most stakeholders commenting on this issue reported that DCS met or exceeded State policy for visitation with children, although a few stakeholders said that some workers are not visiting children on a regular basis and some stakeholders noted that there are scheduling problems for visitation when children are in school.

**Determination and Discussion:** Item 19 was assigned an overall rating of Strength because in 92 percent of the cases, reviewers determined that the frequency of caseworker visits with children was sufficient to ensure adequate monitoring of the child's safety and well-being. This finding is consistent with information reported in the Statewide Assessment. As noted in the Statewide Assessment, agency policy requires that regular visitation must occur between workers and children in the custody of the agency as frequently as is necessary to ensure that (1) the child is adjusting to the placement, (2) the child is receiving appropriate treatment and services, and (3) the child's needs are being met and service goals are being implemented.

## Item 20. Worker visits with parents

\_\_\_\_ Strength      \_\_X\_\_ Area Needing Improvement

**Review Findings:** An assessment of item 20 was applicable for 44 of the 50 cases. Cases that were considered not applicable for an assessment of this item were those in which (1) parental rights had been terminated and the parents were no longer involved in planning for the child; or (2) the parents could not be located despite diligent efforts by the agency. Reviewers were to assess whether the caseworker had sufficient face-to-face contact with the mothers and fathers of the children to promote attainment of the child's permanency goal and ensure the child's safety and well-being. The results of this assessment were the following:

- Item 20 was rated as a Strength in 30 (68%) of the 44 applicable cases (11 of which were foster care cases).
- Item 20 was rated as an Area Needing Improvement in 14 (32%) of the 44 applicable cases (12 of which were foster care cases).

Specific findings regarding visits for the 42 cases for which visitation with mothers was applicable were the following:

- Mothers were visited once a week in 3 cases.
- Mothers were visited twice a month in 4 cases.
- Mothers were visited once a month in 20 cases.
- Mothers were visited less frequently than once a month in 14 cases.
- Mothers received no visits in 1 case.

Specific findings regarding visits for the 26 cases for which visitation with fathers was applicable were the following:

- Fathers were visited once a week in 1 case.
- Fathers were visited twice a month in 3 cases.
- Fathers were visited once a month in 7 cases.
- Fathers were visited less frequently than once a month in 10 cases.
- Fathers received no visits in 5 cases.

This item was rated as a Strength when reviewers determined that the frequency and quality of visits was sufficient to address the parents' needs and promote attainment of the children's and family's case goals. Cases were rated as an Area Needing Improvement when reviewers determined that (1) visits were not of sufficient frequency to address the parents needs or promote goal attainment (8 cases); (2) visits were of sufficient frequency, but did not address substantive issues pertaining to the case (2 cases); or (3) visits were neither sufficiently frequent nor sufficiently substantive (4 cases). In two of the five juvenile delinquency cases, there was little or no contact between caseworkers and parents.

Most stakeholders commenting on this issue expressed the opinion that caseworkers do not make sufficient efforts to contact and visit fathers. Also, stakeholders in one site noted that, in general, worker contact with parents does not occur on as frequent a basis as worker contacts with children.

***Determination and Discussion:*** This item was assigned an overall rating of Area Needing Improvement because in 31percent of the cases, reviewers determined that visits with parents were not sufficiently frequent or of sufficient quality to promote the safety and well-being of the child or increase movement toward permanency. DCS policy requires that when the case goal is reunification, parents should be visited face-to-face by the home county worker as often as is needed, but no less often than once each month, to monitor the parents' progress towards completion of permanency plan goals. For in-home services cases, DCS policy requires that workers make face-to-face contact with families once a week for the first 4 weeks that the case is open, and then once a month thereafter.

## Well-Being Outcome 2

<b>Outcome WB2: Children receive appropriate services to meet their educational needs.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	<b>Knox</b>	<b>Shelby</b>	<b>Sumner</b>	<b>Total Number</b>	<b>Total Percentage</b>
Substantially Achieved:	13	16	8	37	82.2
Partially Achieved:	2	0	4	6	13.3
Not Achieved or Addressed:	1	1	0	2	4.5
Not Applicable:	0	5	0	5	

### STATUS OF WELL-BEING OUTCOME 2

Tennessee did not achieve substantial conformity with Well-Being Outcome 2. This determination is based on the finding that 82.2 percent of the cases reviewed were found to have substantially achieved this outcome, which is less than the 90 percent required for substantial conformity.

The findings for the item subsumed under this outcome are presented below:

#### Item 21. Educational needs of the child

\_\_\_\_ Strength    ☒ Area Needing Improvement

**Review Findings:** An assessment of item 21 was applicable for 45 of the 50 cases reviewed. Cases that were not applicable for assessment were those in which the children were too young to be enrolled in school or preschool, or those in-home services cases in which the children did not have education-related issues. In assessing this item, reviewers were to determine whether the child's educational needs were assessed and whether appropriate services were provided to meet those needs. The results of this assessment were the following:

- Item 21 was rated as a Strength in 37 (82%) of the 45 applicable cases (22 of which were foster care cases).
- Item 21 was rated as an Area Needing Improvement in 8 (18%) of the 45 applicable cases (4 of which were foster care cases)

Foster care cases were rated as a Strength for this item when reviewers determined that there was evidence that the agency had assessed the children's educational needs, provided services to meet those needs (if necessary), included school records in the case file, and provided school information to foster parents at the time of placement. In-home services cases were rated as a Strength for this item when reviewers determined that DCS workers had assessed potential education-related needs and assisted families in accessing services to meet those needs when relevant. All applicable cases were assigned a rating of Area Needing Improvement for this item when reviewers determined that an appropriate assessment of a child's education-related needs had not been conducted and/or identified educational needs were not addressed.

Stakeholders commenting on the issue of education described the relationship between DCS and the education system as a strong one and noted that the communication between DCS and the schools is positive. Stakeholders also identified the agency's allocation of resources to put educational specialists and educational attorneys in place as a positive step to ensure educational issues for children will be better addressed. However, stakeholders in one of the sites included in the onsite review noted that a lot of advocacy is required to get children's educational needs met and often foster parents are expected to advocate for these services on their own. Another problem noted by stakeholders concerned the lack of educational alternatives for children with truancy or behavior problems who are suspended or expelled, although in one site included in the onsite review, stakeholders reported that an alternative school is in the planning stages. Finally, many stakeholders expressed concern about the absence of educational programs for children in detention centers and the inadequacy of many of the educational programs for children in residential centers.

***Determination and Discussion:*** Item 21 was assigned an overall rating of Area Needing Improvement because for 17 percent of the cases, reviewers determined that the educational needs of children were not appropriately addressed.

### Well-Being Outcome 3

<b>Outcome WB3: Children receive adequate services to meet their physical and mental health needs.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	<b>Knox</b>	<b>Shelby</b>	<b>Sumner</b>	<b>Total Number</b>	<b>Total Percentage</b>
Substantially Achieved:	11	16	7	34	69.4
Partially Achieved:	3	2	3	8	16.3
Not Achieved or Addressed:	2	4	1	7	14.3
Not Applicable:	0	0	1	1	



### STATUS OF WELL-BEING OUTCOME 3

Tennessee did not achieve substantial conformity with Well-Being Outcome 3. This determination was based on the finding that the outcome was rated as substantially achieved in 69.4 percent of the applicable cases, which is less than the 90 percent required for a determination of substantial conformity.

In general, the CFSR found that DCS was not consistent in its efforts to meet the physical and mental health needs of children in foster care or in the in-home services cases. Although, for the most part, DCS was found to be effective in meeting children's physical health needs, concerns were identified in the area of children's mental health needs. The case review process found that some children who appeared to need mental health assessments had not received them and that some children who had mental health assessments, had not received all of the services recommended by the assessment. There also were several cases in which the case record documented the need for services but there was no follow up to determine whether services had been provided. Stakeholders noted that the difficulty in meeting children's mental health services is due at least in part to the shortages of mental health services in many areas of the State.

Findings pertaining to the specific items assessed under Well-Being Outcome 3 are presented and discussed below.

#### **Item 22. Physical health of the child**

☒ Strength      ☐ Area Needing Improvement

**Review Findings:** An assessment of item 22 was applicable for 38 of the 50 cases reviewed. Cases that were not applicable for this assessment were in-home services cases for which no physical health issues were identified. In assessing this item, reviewers were to determine whether (1) children's physical health needs had been appropriately assessed, and (2) the services designed to meet those needs had been, or were being, provided. The findings of this assessment were the following:

- Item 22 was rated as a Strength in 34 (89%) of the 38 applicable cases (27 of which were foster care cases).
- Item 22 was rated as an Area Needing Improvement in 4 (11%) of the 38 applicable cases (2 of which were foster care cases).

Cases were rated as a Strength for this item when the children's health needs were being routinely assessed and services provided as needed. For in-home cases, a rating of Strength was assigned when the agency worker had been involved in assessing the health needs of the children or assisting the family in accessing health-related services.

Cases were rated as an Area Needing Improvement when reviewers determined one or more of the following:

- The child had specific needs for health care services that were not being met (3 cases).
- Foster parents were not given complete health records or provided with health information at the time the child was placed in their home (1 case).

In one case, the child did not receive recommended medical care because the mother and child refused services.

Stakeholders commenting on the issue of health needs for children expressed the opinion that children's medical and dental needs are being adequately addressed by the agency, although they noted there is a lack of dental providers in some areas. Some stakeholders stated that medical professionals are unwilling to participate in the health plan because of low reimbursement rates.

***Determination and Discussion:*** Item 22 was assigned an overall rating of Strength based on the finding that in 89 percent of the applicable cases, reviewers determined that Tennessee was adequately addressing the health needs of children in foster care and in-home services cases. According to the Statewide Assessment, DCS policy requires that an EPSDT screening must be completed within 30 days of the child's entry into custody. Children in custody receive medical services through the State's Title XIX managed care program called TennCare. For those children who in rare cases are not eligible for TennCare, medical care is provided by the parent's private insurance or with State dollars set-aside by DCS for that purpose

### **Item 23. Mental health of the child**

\_\_\_\_ Strength      \_\_X\_\_ Area Needing Improvement

***Review Findings:*** An assessment of item 23 was applicable for 41 of the 50 cases. Cases that were not applicable were foster care cases in which the child was too young for an assessment of mental health needs, and in-home services cases in which the children's mental health needs were not an issue. In assessing this item, reviewers were to determine whether (1) mental health needs had been appropriately assessed and (2) services to address those needs had been provided. The findings of this assessment were the following:

- Item 23 was rated as a Strength in 29 (71%) of the 41 applicable cases (17 of which were foster care cases).
- Item 23 was rated as an Area Needing Improvement in 12 (29%) of the 41 applicable cases (6 of which were foster care cases).

For the 41 applicable cases, reviewers noted that children's mental health needs were "significantly" assessed in 29 cases, "partially" assessed in 8 cases, and "not at all" assessed in 4 cases. Reviewers also reported that mental health needs were "significantly" met in 28 cases, "partially" met in 10 cases, and "not at all" met in 3 cases.

Cases were assigned a rating of Strength when reviewers determined that mental health needs were “significantly” assessed and the identified needs for services were “significantly” met. The item was rated as an Area Needing Improvement when reviewers determined that assessments and services were provided only partially or not at all. Some examples of cases rated as an Area Needing Improvement for this item are the following:

- An in-home services case in which there was a need for mental health assessments for the children to address issues related to physical abuse, but none were provided.
- An in-home services case in which the need for counseling was identified through an assessment, but no counseling was provided.

Stakeholders commenting on this issue noted that mental health assessments are not routine procedures and the decision to provide a mental health assessment is based on the child’s behavior. Stakeholders suggested that getting a psychological assessment completed is often difficult. In addition, some stakeholders expressed dissatisfaction with the quality of local mental health services, while others indicated that the services were good, but they were difficult to access because of problems with insurance coverage and waiting lists for some basic services, such as counseling.

***Determination and Discussion:*** Item 23 was assigned an overall rating of Area Needing Improvement because in 29 percent of the applicable cases, reviewers determined that DCS was not adequately addressing children’s mental health service needs. According to the Statewide Assessment, mental health needs are addressed for children in the State's custody through EPSDT screenings and staffings held to plan for the child's permanency.

## SECTION 2: SYSTEMIC FACTORS

### IV. STATEWIDE INFORMATION SYSTEM

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2	3	4X

### STATUS OF STATEWIDE INFORMATION SYSTEM

Tennessee is in substantial conformity with the factor of Statewide Information System. Findings with respect to the item assessed for this factor are presented below.

**Item 24. State is operating a statewide information system that, at a minimum, can readily identify the status, demographic characteristics, location, and goals for the placement of every child who is (or within the immediately preceding 12 months, has been) in foster care.**

  X   Strength             Area Needing Improvement

Item 24 has been assigned a rating of Strength because information gathered during the review indicates that the State's information system can identify the status, demographic characteristics, location and goals for the placement of every child in foster care.

According to the Statewide Assessment, as of December 2000, DCS has implemented the first component of its statewide automated child welfare information system, TN KIDS, in all regions, and all staff have been trained on this component. This first component primarily supports the agency's intake and referral functions. The Statewide Assessment notes that TN KIDS is able to identify the status, demographic characteristics, placement types, and goals of every child in State custody. However, significant system enhancements designed to capture all adoption information, as well as expanded information linking placements with contact agencies and specific contracts, are scheduled for 2003.

The Statewide Assessment also acknowledges that the child protective services (CPS) screens in the system have been difficult to use and inadequate for capturing all required reporting information. This has resulted in a substantial under-reporting of child abuse cases in TN KIDS. The difficulties that impact the entry of CPS cases into the system include system rules and navigation, poor server performance in particular offices, and lack of user confidence and experience with the system. Changes in the next three TN KIDS releases and implementation of new CPS Central Intake Specialists are expected to address these issues.

Stakeholders identified a range of limitations of the system, most of which are being addressed by system enhancements currently under development. These included the following:

- It does not track concurrent plans, match siblings, provide thorough placement histories, easily identify kinship homes, or track children through Continuum placements.
- The system does provide the capability to enter the contract agency's foster parent's address, but this is a recent modification that requires a two-step process that is different than how case managers enter DCS foster homes and this presents a training issue for case managers.
- It can identify repeat maltreatment and incidence of abuse in foster care, however it is unable to connect victims to perpetrators.
- It does not provide historical information, resulting in a large number of duplications.
- There has been misunderstanding among case managers about the procedures to obtain access to the confidential CPS case information and this presents a training issue for case managers.
- It is limited with respect to types of management reports that can be generated and the number of queries available.
- It is not user friendly, e.g., entering data is very time-consuming, the system is slow during peak usage times, workers cannot make corrections or run spell checks, and the reports generated are difficult to use.
- Private agencies cannot enter data into the system.

Despite these problems, stakeholders praised the system's search function, including the ability to search by child. Most stakeholders noted that the system is new and that many enhancements and improvements are being planned. Stakeholders reported that improvements already underway include providing a central CPS intake process, allowing field staff to access the system, and identifying foster home placements.

## V. CASE REVIEW SYSTEM

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2X	3	4

### STATUS OF CASE REVIEW SYSTEM

Tennessee is not in substantial conformity with the systemic factor of Case Review System. Findings with regard to specific items assessed for this factor are presented below.

**Item 25. Provides a process that ensures that each child has a written case plan to be developed jointly with the child's parent(s) that includes the required provisions.**

☐ Strength      ☒ Area Needing Improvement

Item 25 has been rated as an Area Needing Improvement because although DCS has a process in place for a written case plan to be jointly developed by the child and parents, the information gathered during the review indicates that many children and parents are not involved with the development of the case plan.

According to the Statewide Assessment, Tennessee law and policy require that a permanency plan be developed within 30 days of a child entering care. Parents are to be involved in the development of the permanency plan, and parents are required to sign the permanency plan. DCS policy also requires that all changes to a child's plan be made with parent involvement. A key component of the State's effort to ensure participation of parents is family conferencing. A statewide training effort regarding permanency planning began in the summer of 2001. This effort provided staff with an introduction to the family conferencing process, the development of concurrent permanency goals for children, and the new permanency plan format.

As noted in the Statewide Assessment, case record reviews conducted by the DCS and quality service reviews conducted by the Tennessee Commission on Children and Youth (TCCY) indicated that the State is in compliance with the requirement that children in out-of-home care have written case plans. However, these reviews also indicated that families are not being involved in the case planning process and identified the following barriers to family involvement: (1) large distances between families in a worker's

caseload; (2) temporarily high caseloads and workers covering for vacancies; (3) parent's availability; (4) lack of transportation for families; (5) workers' perceptions that involvement of families is too time consuming; (6) variation among workers with respect to the skills necessary to engage parents in the planning process; and (7) unwillingness of parents to participate. As noted in the Statewide Assessment, in many cases, workers develop the permanency plans and present them to the parents for signature.

Stakeholders commenting on this issue reported that although the majority of children have case plans, the plans tend not to be individualized and therefore are not as effective as they could be in guiding case activities. A few stakeholders suggested that Permanency Support Units (PSUs) in the field help caseworkers create better case plans.

Stakeholders' opinions regarding the involvement of parents in the development of the case plans was consistent with information reported in the Statewide Assessment and the findings of the case reviews, as noted under item 18. In general, stakeholders suggested that in many instances, parents and children do not have input into the development of case plans and that many case plans lack parents' signatures, particularly the father's signature.

**Item 26. Provides a process for the periodic review of the status of each child, no less frequently than once every 6 months, either by a court or by administrative review.**

☒ Strength      ☐ Area Needing Improvement

Item 26 has been assigned a rating of Strength because information gathered during the review indicates that DCS has a process in place for the periodic review of the status of each child no less frequently than once every 6 months and that these reviews are being conducted in a timely manner.

According to the Statewide Assessment, Tennessee law provides for the periodic review of permanency plans, and DCS policies provide further instruction to staff regarding the review of permanency plans by the Foster Care Review Boards and the juvenile court. The Foster Care Review Board conducts a 90-day review and a nine-month review of the permanency plan, and at 12 months the juvenile court conducts a permanency hearing. After the first 12 months that a child is in foster care, Foster Care Review Boards continue to review the case at 6-month intervals and the judicial reviews occur no less than every 12 months. Additional reviews may be scheduled at the request of the case manager, the family or child, the Foster Care Review Board, or the juvenile court, and the plan may be revised as needed.

Based on this information, the Statewide Assessment notes that DCS meets the requirement that the status of every child in care be reviewed at least every 6 months. The Statewide Assessment also indicates that foster care review boards have become moderately effective in helping to move children towards permanency, although the quality of review boards varies greatly in terms of expertise in child welfare issues, understanding of ASFA, and willingness to support difficult decisions. During the last two years, members of the Foster Care Review Boards have received training on ASFA and on their role in moving children to permanency. However, as noted in the Statewide Assessment, the Foster Care Review Boards lack resources to support their efforts. Additionally, each Foster Care Review Board is independent of the others, and they lack a statewide perspective as they see only those issues that are of concern in their county.

Stakeholders commenting on this issue reported that foster care cases are reviewed every 6 months by a Foster Care Review Board and that the Review Boards are part of the judiciary system, not part of DCS. Stakeholders commented that hearings and reviews are held in a timely manner and described the Review Boards as “motivated” and “prepared.” However, stakeholders also noted that there is no feedback process from the Review Boards to DCS and concerns often are not followed up on. Stakeholders’ concerns regarding the review boards pertained to the fact that they are understaffed and that their operations are not consistent across counties.

**Item 27. Provides a process that ensures that each child in foster care under the supervision of the State has a permanency hearing in a qualified court or administrative body no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter.**

  X   Strength        Area Needing Improvement

This item was assigned a rating of Strength because information gathered during the review indicates that DCS has a process in place to ensure that each child in foster care has a permanency hearing no later than 12 months after the child entered foster care and no less frequently than every 12 months thereafter, and that these reviews are being held in a timely manner.

According to the Statewide Assessment, State law requires that the juvenile court of venue review each child in foster care within 12 months of the date of foster care placement. DCS policy and State statutes specify the permanency plan hearing process. After the first 12 months, judicial reviews are held no less often than every 12 months. Except in the major urban areas, it is the responsibility of DCS workers to schedule permanency plan hearings. As noted in the Statewide Assessment, permanency hearing outcomes have greatly improved during the past two years because of the increase in DCS legal staff from 18 attorneys in 1999 to 66 attorneys in 2002. Previously, because of the shortage of legal staff, permanency goals that should have been changed were not, terminations of parental rights were delayed, and adoptions were not finalized in a timely manner. The Statewide Assessment also reports that



Juvenile Courts now have a greater appreciation of their role in ensuring permanency for children and are more willing to make the difficult decisions necessary to attain permanency.

Most stakeholders commenting on this issue expressed the opinion that hearings and reviews are held in a timely manner and that the hearings are promoting and expediting permanency for children. Stakeholders expressed the following comments regarding the permanency hearings:

- Permanency hearings are thorough and judges ask tough questions.
- Attorneys in the case review system keep track of permanency hearings and help inform judges when there is need for attorneys for parents and GALs for children to be appointed.
- Attorneys actively appeal decisions made in permanency hearings when perceived as necessary.

Problems with the process identified by stakeholders were the following:

- Some judges follow DCS recommendations without reviewing the entire case file.
- There are frequent continuances and delays in the court process.
- There are waiting lists for GAL's and CASAs.

**Item 28. Provides a process for termination of parental rights proceedings in accordance with the provisions of the Adoption and Safe Families Act.**

☐ Strength      ☒ Area Needing Improvement

This item was rated as an Area Needing Improvement because although DCS has a process in place for termination of parental rights the information gathered during the review indicates that TPR is not being done in all cases in accordance with ASFA.

According to the Statewide Assessment, DCS policies and Tennessee statutes require that the State file for TPR if a child has been in State custody for 15 of the last 22 months. This timeframe, which is consistent with ASFA requirements, does not include time spent in a trial home placement. The Statewide Assessment also notes that DCS is not required to file for TPR if the child is in the care of a "fit and willing" relative, the State has not exercised reasonable efforts, or there is some other compelling reason not to terminate the rights of the parents. State statute parallels the Federal law in the exceptions to the exercise of reasonable efforts. Tennessee has added to the list of exceptions to the reasonable efforts requirements a baby abandonment statute for children who have been abandoned by their parents within 72 hours of birth.

As noted in the Statewide Assessment, however, caseworkers do not appear to be using the exceptions to exercising reasonable efforts provisions in both the State and Federal statutes, which has negatively affected timely filing of TPRs. At the time of preparation of the Statewide Assessment, the State was in the process of drafting a policy that clearly identifies the cases that fall under the exceptions. The goal of this policy is to increase the number of cases presented to the court as exceptions to reasonable efforts in order to expedite children's movement to permanent homes.

The Statewide Assessment also indicates that in an effort to track cases appropriate for TPR, legal staff keep a custody log, which is updated each month and identifies for each child in foster care, his or her date of adjudication, permanency goal, status of attainment of the goal, and information on court dates and permanency hearings. The worker is notified when the log indicates that a child has been in care for 15 of the last 22 months. According to the Statewide Assessment, the federally-funded Court Improvement Project has had a significant impact on children achieving permanency through the training that the program provides to judges, court personnel, DCS staff, and Foster Care Review Board members.

Stakeholders commenting on this issue expressed mixed opinions regarding the timeliness of TPR petitions. Some stated that TPRs are not being completed within ASFA timeframes, while others said that the State was doing well in this regard. Those stakeholders perceiving that TPRs are being requested in a timely manner attributed this to the recent increase in the number of DCS attorneys. Stakeholders expressing the opinion that TPRs are not being filed in a timely manner suggested that this may be due to the agency's awareness that most judges, particularly in one of the sites included in the onsite review, are reluctant to terminate parental rights.

**Item 29. Provides a process for foster parents, preadoptive parents, and relative caregivers of children in foster care to be notified of, and have an opportunity to be heard in, any review or hearing held with respect to the child.**

☐ Strength      ☒ Area Needing Improvement

This item has been rated as an Area Needing Improvement because although DCS has a process in place for foster parents, preadoptive parents, and relative caregivers to be notified of and have an opportunity to be heard in any review or hearing, the information gathered during the review indicates that parties do not always receive these notices or receive them in a timely manner.

According to the Statewide Assessment, State law requires that DCS inform foster parents of scheduled meetings concerning the foster child, and that foster parents are permitted to actively participate in the case planning and decision-making process regarding the foster child. These rights also apply to relative caregivers and pre-adoptive parents. DCS policy states that foster parents, relative caregivers, and pre-adoptive parents must be notified no later than 10 calendar days prior to hearings and foster care reviews. The

Statewide Assessment notes that case reviews conducted by DCS indicate that there has been significant improvement in participation by foster parents, relative caregivers, and pre-adoptive parents in reviews conducted by Foster Care Review Boards and in permanency hearings. This improvement was attributed in part to Tennessee's "Foster Parents' Bill of Rights," which codified the rights of foster parents to be active participants in case planning for children in their care. However, it was acknowledged in the Statewide Assessment that the task of communicating these rights to contract foster parents is complex because DCS caseworkers do not have a direct relationship with them.

Some stakeholders commenting on this issue reported that although there is a process in place to notify foster parents about hearings, they do not always receive the notices or do not receive them in a timely manner. Stakeholders also report that there is confusion at times in regards to exactly who is responsible for providing notice. However, most stakeholders agreed that when foster parents attend hearings or reviews, they are granted the opportunity to be heard.

## VI. QUALITY ASSURANCE SYSTEM

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2	3	4X

### STATUS OF QUALITY ASSURANCE SYSTEM

Tennessee is in substantial conformity with the factor of Quality Assurance System. Findings with respect to the specific items assessed for this factor are presented below.

**Item 30. The State has developed and implemented standards to ensure that children in foster care are provided quality services that protect the safety and health of the children.**

  X   Strength             Area Needing Improvement

This item is rated as a Strength because information gathered during the review indicates that the State has developed and implemented standards to ensure that children in foster care are provided quality services that protect the safety and health of children.

According to the Statewide Assessment and the findings of the onsite review, DCS policy has established standards for assessment, permanency planning, and social welfare practice and safety and well-being standards for which case managers, foster homes, and contract agencies are accountable. Challenges for the department regarding the standards include the need for a clearer communications strategy regarding the approval process and standards for department foster homes and private agency foster homes.

**Item 31. The State is operating an identifiable quality assurance system that is in place in the jurisdictions where the services included in the CFSP are provided, evaluates the quality of services, identifies strengths and needs of the service delivery system, provides relevant reports, and evaluates program improvement measures implemented.**

☒ X Strength      ☐ Area Needing Improvement

This item is rated as a Strength because information gathered during the review indicates that the State is operating a quality assurance system that evaluates the quality of services, identifies strengths and needs of the service delivery system, provides relevant reports, and evaluates program improvement measures implemented.

According to the Statewide Assessment, DCS provides oversight of the quality of services received by children in custody through the Quality Assurance division, which was established in October 2001. The Statewide Assessment notes that prior to establishing this division, there were components of a quality assurance system in place, but they were not coordinated with one another. The new Quality Assurance division combines the various existing components into a coordinated and cohesive system.

As noted in the Statewide Assessment, the new DCS Quality Assurance division is comprised of three units: Licensure; Residential/Continuum Monitoring; and Quality Review. The Licensure unit grants initial and re-approved licenses, responds to complaints, and makes unannounced monitoring visits to licensed entities. The Residential/Continuum Monitoring unit provides oversight on the quality of care provided by contract agencies by following up on corrective action plans subsequent to external contract monitoring, responding to complaints, tracking incident reports, reviewing and approving subcontracts, conducting agency reviews, and restricting or limiting capacity in contract agencies. The Quality Review Unit completes an annual review statewide of a representative sample of cases, compiles the results of the review, completes targeted administrative case file reviews, tracks specific reports to monitor systemic improvement, and supports quality assurance functions. The Quality Review Unit will be responsible for conducting the annual statewide review of the files of children in foster care. This replaces the case file review process conducted by

the Foster Care unit in Program Operations. The annual review will include approximately 500 cases statewide. DCS regional staff will continue to conduct a review of 10 percent of cases monthly, and Program Operations will maintain programmatic oversight.

Stakeholders commenting on this issue described the new quality assurance division as a promising endeavor in terms of improving the future functioning of the agency. Stakeholders noted that the division will begin the case file reviews shortly after the CFSR and that the division also plans to develop a peer review system. A few stakeholders noted that quality assurance also is a primary focus of the case reviews conducted by supervisors on a routine basis. Other quality assurance efforts identified by stakeholders include utilizations of monthly reports generated from TN KIDS, a racial disparity study underway, interaction with sources of external technical assistance, and CPORT reviews of the child welfare system conducted by the Tennessee Commission on Children and Youth since 1993. Concerns regarding the quality assurance system identified by stakeholders include the appearance that a majority of quality assurance efforts are focused upon the custodial portion of the agency's operations rather than encompassing the entire agency and the challenge of incorporating or coordinating existing components of quality assurance into the new quality assurance division.

## VII. TRAINING

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2X	3	4

### STATUS WITH RESPECT TO TRAINING

Tennessee is not in substantial conformity with the systemic factor of Training. Findings with respect to items assessed for this factor are presented below.

**Item 32. The State is operating a staff development and training program that supports the goals and objectives in the CFSP, addresses services provided under titles IV-B and IV-E, and provides initial training for all staff who deliver these services.**

\_\_\_\_ Strength      \_\_X\_\_ Area Needing Improvement

This item is rated as an Area Needing Improvement because although DCS has a new training division, stakeholders interviewed during the review indicated that currently the initial training does not sufficiently prepare staff for the work they are required to perform.

According to the Statewide Assessment, DCS expanded the pre-service training for all newly hired case managers from 3 to 8 weeks. The delivery of training at regional locations began in November 2001. DCS contracts with the University of Tennessee to develop and deliver pre-service training for new hires and supervisory training. The course of instruction begins at the new case manager's office site with on-site orientation using the training manual. This is followed by core classes and on-the-job training in the areas of interviewing and assessment, as well as others. There are specialty classrooms for workers in the areas of CPS, foster care, adoptions or juvenile justice. New workers also receive training on the TN KIDS/SACWIS in a computer lab. The Statewide Assessment also notes that trainers from the Tennessee Correctional Academy provide a week of specialty training for Juvenile Justice case managers. All newly hired case managers must complete specialty training before accepting any case assignments.

As noted in the Statewide Assessment, the most significant factor affecting training is staff turnover. Staff turnover, according to the Statewide Assessment, may be attributed in part to low salaries, high caseloads, and challenging working conditions. DCS is entering into agreements with universities to prepare and recruit potential case managers directly from the university to address the ongoing shortage of bachelor's and master's level social workers applying to DCS.

Some stakeholders commenting on this issue expressed concern that the training does not prepare staff for the work they are required to do. Stakeholders described the need to make changes to the current initial training and this is planned once an agency decision is made in regards to which "practice model" will be implemented. Stakeholders also identified training needs in the areas of legal issues, concurrent planning, permanency planning, diversity, interviewing skills with sexually abused children, and working with private providers. However, many of these stakeholders noted that there have been some recent improvements in training, particularly the efforts of DCS to establish training on a regional basis. A few stakeholders praised the mentoring program that the agency established as part of the core training. Stakeholders commented that the new Training Division is making changes to initial training based on feedback from a staff workgroup, the Technical Assistance Committee Review, and the leadership workgroup.

**Item 33. The State provides for ongoing training for staff that addresses the skills and knowledge base needed to carry out their duties with regard to the services included in the CFSP.**

☐ Strength      ☒ Area Needing Improvement

Item 33 was rated as an Area Needing Improvement because stakeholders indicated that ongoing training needs to be more comprehensive in general and strengthened in subject areas including substance abuse and cultural competency training.

According to the Statewide Assessment, DCS requires all case managers to obtain at least 40 hours in-service training annually from several sources. DCS provides specific in-service classes whenever new policy or procedures are introduced into front line practice. The Tennessee Corrections Academy provides 40 hours of required training each year at its facility for staff employed in the DCS juvenile institutions and group homes. The Tennessee Department of Personnel provides a wide array of training to all State employees including basic functioning skills and supervisory and management organizational skills. CPS staff members are able to attend either of two in-depth interviewing courses, and foster care staff members are able to attend any of the many mini-conferences or annual conferences held each year for foster and adoptive parents. DCS is beginning to move some curriculum from classrooms and manuals to computer-based training methods.

Stakeholders commenting on this issue noted that the agency provides regular opportunities for staff to receive ongoing training, with the exception of supervisory training. Some stakeholders expressed the opinion that ongoing training is better than the initial training. Stakeholders identified several areas in which ongoing training is needed, such as: helping children deal with grief and loss issues, the importance of attachment, working with children with developmental delays, substance abuse issues, and cultural competency. Stakeholders also reported concerns about the current capacity of training to operationalize principles such as family centered and strengths based practice. Stakeholders described a history of one time training events canvassing the entire State to address a particular issue through training rather than an ongoing approach that ensured the same information is provided to new employees and issues are reinforced in subsequent training. Stakeholders described the agency's desire to ultimately develop an agency menu of ongoing training that will be available to meet the training needs of all staff.

**Item 34. The State provides training for current or prospective foster parents, adoptive parents, and staff of State licensed or approved facilities that care for children receiving foster care or adoption assistance under title IV-E that addresses the skills and knowledge base needed to carry out their duties with regard to foster and adopted children.**

☒ Strength      ☐ Area Needing Improvement

Item 34 was rated as a Strength because information gathered during the review indicates that the State provides quality training to current and prospective foster and adoptive parents that prepares them to effectively parent children in their care.

As noted in the Statewide Assessment, in 1999, DCS replaced the MAPP training with the PATH (Parents As Tender Healers) training as the pre-service curriculum for prospective foster, adoptive, and kinship parents. The PATH curriculum has been provided to private agency foster care and adoptive staff, and all private agencies are using PATH as their pre-service training curriculum. Each DCS region begins a new PATH group each month. Specific DCS policy has been developed to outline prescribed in-service training for newly approved foster parents. These requirements include Parenting the Sexually Abused Child, Discipline, Working with Birth Parents, and Cultural Awareness, as well as a 3-hour elective for a total of 15 hours required in-service for all approved foster parents. Following the first year of service, each parent is required to obtain 15 additional hours per year, with the topics to be determined by the annual re-approval process.

Stakeholders commenting on this issue expressed the opinion that the training provided to foster parents is an excellent preparation for fostering a child and a significant improvement over the previous curriculum. Stakeholders report that the utilization of foster parents as co-leaders for PATH training is beneficial and stakeholders also report that PATH training addresses the needs of adolescents in a more effective manner than past foster parent training curriculums. Stakeholders described opportunities for in-service training being available to foster parents through local foster parent association trainings, mini one-day regional conferences, and an annual three-day foster parent association conference. There were other stakeholders who expressed concerns in regards to PATH training adequately preparing foster parents for parenting.

## **VIII. SERVICE ARRAY**

<b>Rating of Review Team Regarding Substantial Conformity</b>				
<b>Rating</b>	<b>Not in Substantial Conformity</b>		<b>Substantial Conformity</b>	
	1	2X	3	4

## **STATUS WITH RESPECT TO SERVICE ARRAY**

Tennessee is not in substantial conformity with the systemic factor of service array. Findings pertaining to the specific items relevant to this factor are presented and discussed below.



**Item 35. The State has in place an array of services that assess the strengths and needs of children and families and determine other service needs, address the needs of families in addition to individual children in order to create a safe home environment, enable children to remain safely with their parents when reasonable, and help children in foster and adoptive placements achieve permanency.**

\_\_\_\_ Strength      \_\_\_X\_\_\_ Area Needing Improvement

Item 35 was rated as an Area Needing Improvement because although the State does have in place an array of services for children and families, the information gathered during the case record review and stakeholder interviews indicate significant gaps in services.

According to the Statewide Assessment, DCS offers a wide range of services to enable children to remain safely with their parents when reasonable, and to help children in foster and adoptive placements achieve permanency. For the most part, services provided to enable children to remain in their own homes are provided by CSAs under contract to DCS. As noted in the Statewide Assessment, DCS at present does not have formal procedures for evaluating the quality of these services.

The Statewide Assessment lists the following as some of the services provided by DCS: needs assessments; case management services (provided directly by DCS or by its contractor CSA); permanency support units; community residential programs; and health units comprised of DCS and CSA staff who assist families and children with accessing services through TennCare. The following are some of the services that are available to DCS families from other agencies: Healthy Start, relative caregiver programs; broker child care services; Family Resource Centers; child development services; pregnancy and parenting services; a Community Prevention Initiative for Children; and Juvenile Court Prevention services.

The Statewide Assessment also indicates that identifying service gaps is an on-going and challenging process for DCS. Problems that DCS must address in its efforts to assist children and families include drug/alcohol use, the family's lack of available support systems and resources, poverty, parents' lack of education and job skills, mental health problems, and a lack of understanding of effective parenting.

Most stakeholders commenting on this issue expressed the opinion that there is a comprehensive array of services available to families who come into contact with DCS. However, most also reported that there are significant gaps in services. In particular, stakeholders suggested that the following areas represented significant service gaps: post-reunification services, preventive services, mental health services, inpatient and outpatient substance abuse treatment services, services for developmentally disabled children and their families, sex offender treatment services for adolescents, homemaker services, teen pregnancy prevention services, independent living services, transitional living services, eating disorder treatment services, therapeutic foster homes, mentoring services, Spanish language

services, and culturally sensitive services.

Some stakeholders voiced concern that flexible funds for services are available but are not being used appropriately, other stakeholders suggested that the CSAs are not approving funds for needed services, and still other stakeholders suggested that caseworkers are not adequately informed about the availability of programs and program requirements. In one of the sites included in the onsite review, however, some stakeholders indicated that there had been recent improvements with respect to available funding for services and general service provision.

**Item 36. The services in item 35 are accessible to families and children in all political jurisdictions covered in the State's CFSP.**

☐ Strength      ☒ Area Needing Improvement

This item was rated as an Area Needing Improvement because information gathered during the review indicates that all the services are not accessible to children and families throughout the State.

According to the Statewide Assessment, not all programs and services for families are available on a Statewide basis, although many are. Two programs that are not available statewide include the Healthy Start Program, which is available in 26 counties through the Department of Health and the Relative Caregiver Program, which is available in 18 counties.

Several stakeholders commenting on this topic expressed the opinion that there are fewer services available to children and families in rural areas and that there are difficulties accessing services in those areas. However, it was noted that with respect to medical services, a mobile unit helps provide accessible medical exams and therapy.

Stakeholders also noted that there are State procedures that establish barriers to the ability of certain populations to receive services. An example concerns the process of accessing flexible funds, which some stakeholders described as being cumbersome and resulting in less appropriate use of these funds to help families.

**Item 37. The services in item 35 can be individualized to meet the unique needs of children and families served by the agency.**

☐ Strength      ☒ Area Needing Improvement

This item was rated as an Area Needing Improvement because stakeholders indicated that services are not adequately individualized to meet the unique needs of children and families served by DCS.

According to the Statewide Assessment, DCS uses a needs assessment protocol to identify the strengths and needs of children and their families. This assessment process is used as the foundation for case management decisions made for families and children and is intended to ensure that unique needs are identified and services are individualized to meet those needs.

Although a few stakeholders said that the case plans and subsequent services are individualized for children and families, most expressed the opinion that both the plans and the services tend to reflect a "boilerplate" process and that the agency attempts to "fit families" into services that are available, rather than tailoring services to meet the unique needs of families.

For many stakeholders, a key concern with respect to this issue is that both the needs assessment process and the service selection process are child-focused rather than family focused. Rather than addressing the family as a unit (including the foster family) and focusing on the various issues that may need to be resolved to ensure risk reduction, placement stability, or reunification, stakeholders suggested that common DCS practice is to focus on the child, identify the child's behavior or other problems and secure services to address those problems. Stakeholders expressed concern that this practice leads to many family problems going untreated, and sometimes, unrevealed, so that children are returned to, or maintained in, families in which the level of risk may be high.

## IX. AGENCY RESPONSIVENESS TO THE COMMUNITY

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2	3X	4

### STATUS OF AGENCY RESPONSIVENESS TO THE COMMUNITY

Tennessee is in substantial conformity with the systemic factor of Agency Responsiveness to the Community. Findings with respect to items assessed for this factor are presented below.

**Item 38. In implementing the provisions of the CFSP, the State engages in ongoing consultation with tribal representatives,**

**consumers, service providers, foster care providers, the juvenile court, and other public and private child- and family-serving agencies and includes the major concerns of these representatives in the goals and objectives of the CFSP.**

☒ Strength      ☐ Area Needing Improvement

This item has been rated as a Strength because information gathered during the review indicates that DCS engages in ongoing consultation with providers and agencies in setting goals and objectives of the child welfare system in the State.

According to the Statewide Assessment, in order to evaluate community needs and service delivery efforts, DCS maintains on-going communication at the State and local level with many community organizations, advisory boards, other State agencies, and citizen groups that have a role or interest in child welfare. Tennessee has no Federally-recognized American Indian Tribes (although training on ICWA is provided to caseworkers).

The Statewide Assessment also described a key initiative undertaken by the State relevant to the agency's responsiveness to the community. In this initiative, DCS contracted with the Child Welfare League of America (CWLA) in 1999 for a 3-year plan to conduct a comprehensive, statewide assessment of the department's foster care, adoption and child protective services. CWLA entered into a collaborative partnership with DCS to identify strategies for change and to assist in implementing, monitoring and evaluating specific actions to strengthen the service delivery system. A team of CWLA consultants held 25 individual interviews and 124 focus groups involving 1,155 people in 1999. Participants in the interviews and focus groups included: children and parents receiving services; foster and adoptive parents; DCS and CSA case managers, team leaders, and team coordinators; DCS attorneys; DCS regional administrators and CSA executive directors; executive director of the Children's Program Outcome Review Team; regional coordinators of the Tennessee Commission on Children and Youth; CASA volunteers and staff; Foster Care Review Board members; Judges and court staff; Guardians ad litem and parents' attorneys; the Tennessee State Employees Association; pediatricians; and educators.

Stakeholders commenting on this issue were in general agreement that the agency maintains positive connections with many other child-serving departments and community agencies. However, stakeholders were more critical about the agency's relationship to the community at large, and frequently noted that many members of the community have highly negative views of DCS.

**Item 39. The agency develops, in consultation with these representatives, annual reports of progress and services delivered**

**pursuant to the CFSP.**

☐ Strength      ☒ Area Needing Improvement

This item has been rated as an Area Needing Improvement because stakeholders indicated that DCS does not adequately consult with external stakeholders in developing annual reports of progress and services.

According to the Statewide Assessment, while stakeholders have had no formal, direct involvement in the development of the IV-B Plan (CFSP), they all influence the process through their input and interactions as part of DCS' on-going operations. The Statewide Assessment also reports that DCS has begun a number of initiatives that should further the agency's efforts to open communication between the department and community stakeholders.

**Item 40. The State's services under the CFSP are coordinated with services or benefits of other Federal or federally assisted programs serving the same population.**

☒ Strength      ☐ Area Needing Improvement

This item was rated as a Strength because information gathered during the review indicates that the State does coordinate the services provided by DCS with the services of other Federal or federally assisted programs that serve the same population.

According to the Statewide Assessment and the findings of the onsite review, DCS coordinates with a number of agencies regarding Federal programs that serve the same population. This includes coordination with the Tennessee Department of Human Services, which is the agency responsible for TANF and SSBG. DCS uses TANF funds for the Relative Caregiver Pilot Program in 18 counties. DCS also has an interagency agreement with the Bureau of TennCare that establishes the means to obtain medical services for children in State custody. DCS has annual contracts with each of the 12 Community Services Agencies. DCS also coordinates funding and services with the Department of Public Health, the Department of Education, and the Department of Mental Health and Developmental Disabilities. As noted in the Statewide Assessment, there are gaps in the total service array that might be addressed by joint ventures of State departments. These gaps include drug and alcohol treatment services, educational services, and job skills training services for youth and parents.

## **X. FOSTER AND ADOPTIVE PARENT LICENSING, RECRUITMENT, AND RETENTION**

<b>Rating of Review Team Regarding Substantial Conformity</b>				
<b>Rating</b>	<b>Not in Substantial Conformity</b>		<b>Substantial Conformity</b>	
	1	2	3X	4

### **STATUS WITH REGARD TO FOSTER AND ADOPTIVE PARENT LICENSING, RECRUITMENT, AND RETENTION**

Tennessee is in substantial conformity with the systemic factor of Foster and Adoptive Parent Licensing, Recruitment, and Retention. Findings for the items pertaining to this factor are presented below.

#### **Item 41. The State has implemented standards for foster family homes and child care institutions which are reasonably in accord with recommended national standards.**

This item was rated as a Strength because information gathered during the review indicates that the State has implemented standards for foster family homes and child care institutions which are reasonable in accord with recommended national standards.

  X   Strength             Area Needing Improvement

According to the Statewide Assessment, DCS has established detailed standards for the approval of foster, relative foster, and adoptive homes. Agencies contracting with DCS must meet or exceed the DCS' licensing standards for approving families and children. Residential placements for children and youth are either operated by DCS or by contracted agencies. Standards of the DCS-operated facilities and the contract residential treatment facilities are comparable, including the staffing patterns and physical requirements. If concerns or complaints arise in DCS-approved foster or adoptive placements, the department has a process to investigate them. Private agencies contracting to provide foster care services have similar processes for corrective action. In the event there are CPS concerns in a DCS foster home or contract placement, the department conducts a CPS investigation pursuant to CPS policy.

Also noted in the Statewide Assessment, foster families are re-approved on an annual basis. As a quality assurance check, DCS has executed a system of case file reviews that also includes a sampling of foster home records. Private agencies that provide foster care services must have a process similar to DCS' for approval and re-approval of foster families. Through the Community Residential

Programs, DCS has 13 minimum-security group homes that provide services for youths adjudicated delinquent who have been evaluated and determined appropriate for community placement. These programs are accredited through the American Correctional Association.

Stakeholders commenting on this issue noted that re-licensure is conducted in a timely manner. However, a few stakeholders raised concerns that at times re-licensing visits are not conducted in a thorough manner.

**Item 42. The standards are applied to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds.**

☒ Strength      ☐ Area Needing Improvement

This item was rated as a Strength because information gathered during the review indicates that the State applies the standards to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds.

As noted in the Statewide Assessment, all foster parents, whether or not they are related to the children placed in their home, must meet the same criteria for approval and all residential facilities must meet the same standards.

**Item 43. The State complies with Federal requirements for criminal background clearances as related to licensing or approving foster care and adoptive placements and has in place a case planning process that includes provisions for addressing the safety of foster care and adoptive placements for children.**

☒ Strength      ☐ Area Needing Improvement

This item was rated as a Strength because information gathered during the review indicates that the State complies with Federal requirements for criminal background clearances and other processes for addressing the safety of children in foster care and adoptive placements.

According to the Statewide Assessment, all DCS staff, volunteers, and foster and adoptive parents are required to complete criminal background record checks which include Tennessee Bureau of Investigation, FBI, local police checks, CPS check and the sex offender registry check. All contract agencies are now required to complete similar checks on all parents, staff, and volunteers. Agencies providing adoption services follow the same procedures as the DCS adoption programs. All State agencies working with children

have to conduct criminal background checks and training in recognizing child abuse. DCS processes all agencies' requests for CPS records investigations. The department has required finger printing of all staff and parents since 1996.

Stakeholders noted that criminal background checks, including fingerprinting, are conducted. They noted that the Quality Assurance monitoring process reviews the criminal background checks.

**Item 44. The State has in place a process for ensuring the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the State for whom foster and adoptive homes are needed.**

\_\_\_\_\_ Strength        X   Area Needing Improvement

Item 44 was rated as an Area Needing Improvement because although DCS has a recruitment process in place, stakeholders indicated that the State is not making diligent efforts to recruit African-American, Hispanic, and Sudanese families and there is a general lack of foster homes for children with severe emotional problems, large sibling groups, and adolescents.

According to the Statewide Assessment, DCS is creating new recruitment strategies and initiatives that support meeting the individual needs of children and represent the racial diversity of the children in care. The State and regional offices have developed their own foster care recruitment and retention plans. DCS has committed 36 new positions since August 2001 to focus solely on recruitment and retention issues. There are also adoption units, as well as agencies that specialize in adoption contracts, that are charged with the recruitment of adoptive parents.

The Statewide Assessment also notes that DCS is in the process of initiating the Family to Family program, sponsored by the Annie E. Casey Foundation in three pilot counties. One of the goals of this initiative is to develop a network of family foster care that is neighborhood-based, culturally sensitive, and located primarily in the communities in which the children live. DCS also is beginning to work with faith-based communities in Tennessee to recruit foster and adoptive parents.

Stakeholders commenting on this issue noted that while DCS has regional recruitment plans, the agency is not making diligent efforts to recruit African-American, Hispanic, and Sudanese families. Several stakeholders noted that there is a general lack of foster homes and, in particular, foster homes that are willing to take children with severe emotional problems, large sibling groups, and adolescents.



**Item 45. The State has in place a process for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children.**

☒ Strength      ☐ Area Needing Improvement

This item was rated as a Strength because the information gathered during the review indicates that DCS adoption workers regularly use cross-jurisdictional resources to facilitate timely adoptive or permanent placements for children.

According to the Statewide Assessment, DCS registers all children who enter guardianship and have the goal of adoption with the adoption resource exchange, Resources for Adoptable Children in Tennessee (REACT). If there are no matches after a 60-day search, the child is registered with the National Adoption Resource Exchange of America. Some children with special needs are registered with "Adopt America" as well. DCS consults with out-of-state child placing agencies for some children who the agency believes will be very difficult to place. If there are no referrals after the initial search, the child's picture and profile information are scheduled to become part of the Tennessee Adoption Profile listing on the State's website, which has generated many inquiries from prospective in-state, out-of-state, and some out-of country adoptive parents. The Statewide Assessment notes that some of the barriers DCS faces are ensuring that their staff are accepting of families prepared by other agencies and unknown to the department's own adoptive home system.

Stakeholders commenting on this issue noted that adoption workers regularly use cross-jurisdictional resources and that they make good use of the available websites. Stakeholders also noted, however, that it is difficult to work through many of the issues associated with out-of-state adoptions, because of ICPC issues, difficulty obtaining home studies, and problems with finalization and legal fees.

## **XI. DETERMINATION OF SUBSTANTIAL CONFORMITY**

For each outcome and systemic factor listed below, mark “Y” where the State is determined to be in substantial conformity and “N” where the State is determined not to be in substantial conformity. For each outcome or systemic factor marked “N,” place a check beside the performance indicator, listed by item number in this form, that has been determined to be an area needing improvement.

### **Outcomes**

#### **I. Safety**

##### **N Outcome S1**

x Item 1

\_\_\_\_\_ Item 2

##### **N Outcome S2**

x Item 3

x Item 4

#### **II. Permanency**

##### **N Outcome P1**

x Item 5

x Item 6

x Item 7

x Item 8

x Item 9

x Item 10

##### **N Outcome P2**

\_\_\_\_\_ Item 11

x Item 12

x Item 13

x Item 14

x Item 15

x Item 16

#### **III. Child and Family Well-Being**

##### **N Outcome WB1**

x Item 17

x Item 18

\_\_\_\_\_ Item 19

x Item 20

##### **N Outcome WB2**

x Item 21

##### **N Outcome WB3**

\_\_\_\_\_ Item 22

x Item 23

### **Systemic Factors**

#### **IV. Y Statewide Information System**

\_\_\_\_\_ Item 24

#### **V. N Case Review System**

x Item 25

\_\_\_\_\_ Item 26

\_\_\_\_\_ Item 27

x Item 28

x Item 29

#### **VI. Y Quality Assurance System**

\_\_\_\_\_ Item 30

\_\_\_\_\_ Item 31

#### **VII. N Training**

x Item 32

x Item 33

\_\_\_\_\_ Item 34

#### **VIII. N Service Array**

x Item 35

x Item 36

x Item 37

#### **IX. Y Agency Responsiveness to the Community**

\_\_\_\_\_ Item 38

x Item 39

\_\_\_\_\_ Item 40

#### **X. Y Foster and Adoptive Parent Licensing, Recruitment, and Retention**

\_\_\_\_\_ Item 41

\_\_\_\_\_ Item 42

\_\_\_\_\_ Item 43

x Item 44

\_\_\_\_\_ Item 45